





Government  
Publications



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Journals of the Colonial Legislatures of the  
Colonies of Vancouver Island and  
British Columbia  
1851-1871

---

Edited by JAMES E. HENDRICKSON

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VOLUME V  
JOURNALS OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA, 1866-1871

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Journals of the Colonial Legislatures of Vancouver Island  
and British Columbia, 1851-1871





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## ILLUSTRATIONS

1. Page from original minute-book of the Legislative Council of British Columbia.
2. Seventh Legislative Council of British Columbia.
3. Instrument appointing J. S. Helmcken to the Legislative Council of British Columbia.
4. Poem written on inside cover of Motion Book.



Council Chamber  
Friday 31 January 1871

The Council met at 1 o'clock pursuant to adjournment.

M<sup>r</sup> Speaker in the Chair as Usual

Present Hon<sup>ble</sup> Mr Justice Guthrie, Mr Justice Guthrie, Mr Justice Guthrie,  
Mr Justice Guthrie, Mr Justice Guthrie, Mr Justice Guthrie, Mr Justice Guthrie,  
Mr Justice Guthrie, Mr Justice Guthrie, Mr Justice Guthrie, Mr Justice Guthrie,

The Minutes of previous meeting read & confirmed

Memorandum  
A paper from His Excellency the Governor read as follows  
The Governor has received the Resolution of the Legislative Council  
authorizing him to send down a Bill to dissolve the members  
of representative members excluding nonqualified members  
from the Council so as to enable a new Legislative Body  
and the form of Administration known as Responsible  
Government to come into operation at the first Session of  
the Legislature subsequent to the Union of this Colony with  
Canada.

In compliance with this request the Governor submits for  
the consideration of the Council a Bill entitled "An Act to amend  
and alter the Constitution of this Colony."

Government House

31 January 1871

On the motion of the Hon<sup>ble</sup> the Attorney General  
ordered that the Constitution Bill be now read 1<sup>st</sup> time  
Read 1<sup>st</sup> time accordingly  
Ordered to be read 2<sup>d</sup> time on Friday next.

Memorandum  
A further paper read as follows.

Attorney General.

The Governor has received the Resolution of the Honorable Legislative  
Council respecting the propriety of postponing payment of the  
instalments due on land free granted under Vancouver Island  
Redemption Proclamations 1861-2 until some convenient period  
after next harvest.

The Governor regrets that he does not consider himself at liberty  
to comply with the suggestion of the Council. These payments are due  
on Vancouver Island Crown Land, and it is important that the  
accounts of this Land should be settled before the proposed Union  
of this Colony with the Dominion of Canada.

Government House

31 January 1871

Truly remember the Council have lost their senses  
They will not let us pass a Bill but their blessed senses  
Both sense reason and legal sense my head is really sore.  
I hope indeed to take a sense or give a sense no more  
Tutty with sense would send the Bill to a Select Committee  
They know short and straight which is no think safety  
Barn (near) perhaps not to leave such chance a blank  
and find in new of the paper the affering cloth like  
The Tutty divides between and makes a law three  
and Helmsden wishes to know much litigation there for  
Nothing to do that he nor any understands  
a Stanley stands before the law his coat but which hand  
and often swears the four o'clock and wants to go away.  
He without his dinner hears it does not pay  
out Bull get thinking and enquire for ever and after  
in the (the) apartment which perhaps is handy  
Stokes says his wife in volume rather was a tired  
and Davey says to show the case would really be absurd  
from Burtly looks most awful and not with the same  
all (and) sense; wants a sense, but finds it and no use.  
all need have going on the fact; pity the Legislature  
and thinks the Council to be uncommon small for state  
to them enquire fully if they understand the motion  
O'Reilly looking quite beautiful and smiles at such a notion  
For all the time to say a word, his voice is wholly drowned  
For now the racket of the coats you cannot hear a sound.  
At last his voice is heard to say he gives his rule on odds.  
He is a carpenter and on the subject he will not give the odds  
He says the nation was astounded and called for sense  
The formal man and asks him if perhaps he has lost sense  
The unhappy, Clerk in the chair, to leave the vote in motion  
but for the motion interrupts with 5/4 quakes motion  
The Clerk then suggests say that all the cups by his party will be notified  
O'Reilly hopes that given dropped with for all, he holds







Seventh Legislative Council of British Columbia, Victoria, 1870: *Front row* (left to right): A. DeCosmos, H. P. P. Crease, D. B. Ring (with dog), J. W. Trutch, T. B. Humphreys, J. Robson. *Back row*: House Messenger, H. Holbrook, W. O. Hanley, E. G. Alston, P. J. Hankin, M. W. T. Drake, T. L. Wood, H. M. Ball, E. Dewdney, A. T. Bushby. *Absent*: P. O'Reilly, A. F. Pemberton, E. H. Sanders, G. A. Walkem, F. J. Barnard, R. W. W. Carrall, J. S. Helmcken. PABC (Photo No. 53182).

By His Excellency Frederick Seymour  
Lieut. Governor and Commander-in-Chief  
of the Colony of British Columbia and its Dependencies,  
&c., &c., &c.

To all to whom these presents shall come, or whom the same  
may concern.

Greeting.

Know ye that, reposing especial confidence in the loyalty, integrity, and ability of  
John Sebastian Helmcken Lieut. Governor, I do, in virtue  
of the power and authority in me vested, hereby nominate and appoint him the said  
John Sebastian Helmcken to be a Member of the Legislative  
Council of British Columbia, willing and requiring him to conform in all things to the duties and  
obligations of that Office

PROVIDED, however, that this appointment shall be provisional only until it shall have  
been approved by the Queen, through one of Her Majesty's Principal Secretaries of State.  
Provided, also, that, if not otherwise determined, it shall remain in full force until the 20<sup>th</sup>  
day of June, in the year of Our Lord One thousand eight hundred and sixty  
eight, and no longer; and provided, always, that the said John  
Sébastien Helmcken shall hold office as a Member of the said Council  
during Her Majesty's pleasure only.

GIVEN under my hand and the Public Seal of the Colony, this  
day of January, in the year of  
Our Lord One thousand eight hundred and sixty eight,  
and in the year of Her Majesty's  
Reign,

By Command.

JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA

24 JANUARY 1867 TO 2 APRIL 1867

IN THE  
30<sup>TH</sup> YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA

BEING THE FOURTH SESSION OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA





ROLL  
OF THE  
HONOURABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*  
FOR THE FOURTH SESSION OF THE LEGISLATIVE COUNCIL  
BEING THE YEAR 1867. 30° VICTORIÆ.

---

ARTHUR N. BIRCH, COLONIAL SECRETARY AND PRESIDING MEMBER.  
HENRY P. PELLEW CREASE, ATTORNEY GENERAL.  
WILLIAM A. G. YOUNG, ACTING DURING SESSION AS TREASURER.  
JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND  
SURVEYOR GENERAL.  
WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.  
THOMAS LETT WOOD, ACTING DURING SESSION AS SOLICITOR GENERAL.  
HENRY MAYNARD BALL, MAGISTRATE, CARIBOO WEST.  
CHARTRES BREW, MAGISTRATE, NEW WESTMINSTER.  
GEORGE WILLIAM COX, MAGISTRATE, CARIBOO EAST.  
WILLIAM HALES FRANKLYN, MAGISTRATE, NANAIMO.  
WILLIAM J. MACDONALD, MAGISTRATE, VICTORIA.  
PETER O'REILLY, MAGISTRATE, KOOTENAY.  
EDWARD HOWARD SANDERS, MAGISTRATE, YALE AND LYTTON.  
AMOR DECOSMOS, VICTORIA.  
JOHN SEBASTIAN HELMCKEN, VICTORIA.  
JOSEPH DESPARD PEMBERTON, VICTORIA DISTRICT.  
JOHN ROBSON, NEW WESTMINSTER.  
ROBERT THOMPSON SMITH, COLUMBIA RIVER AND KOOTENAY.  
JOSEPH J. SOUTHGATE, NANAIMO.  
EDWARD STAMP, LILLOOET.  
GEORGE ANTHONY WALKEM, CARIBOO.  
FRANCIS JONES BARNARD, YALE AND LYTTON.





BRITISH COLUMBIA.



FREDERICK SEYMOUR.

{ L.S. }

PROCLAMATION

By His Excellency FREDERICK SEYMOUR, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia and its Dependencies, Vice-Admiral of the same, &c, &c., &c.

WHEREAS, by an Act of Parliament, made and passed in the Session of the Imperial Parliament, holden in the 29th and 30th year of the Reign of Her Majesty Queen Victoria, Chapter 67, intituled "An Act for the Union of the Colony of Vancouver Island with the Colony of British Columbia," it was among other things enacted that from and immediately after the Proclamation of the above mentioned Act of Parliament by the Governor of British Columbia, the Colony of Vancouver Island should be united with the Colony of British Columbia and form one Colony, in manner in such Act mentioned;

NOW, THEREFORE, I, FREDERICK SEYMOUR, Governor of the said Colony of British Columbia, do hereby proclaim and publish the said Act for the guidance of Her Majesty's Subjects and all others whom it may concern, as follows:—

---

ANNO VICESIMO NONO & TRICESIMO.

VICTORIÆ REGINÆ.

CAP. LXVII.

An Act for the Union of the Colony of Vancouver Island with the Colony of British Columbia.

[6th August, 1866.]

BE it enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, as follows:

1. This Act may be cited as the *British Columbia Act*, 1866.
2. In this Act the Term "Governor" means any Officer for the Time being lawfully administering the Government.
3. From and immediately after the Proclamation of this Act by the Governor of *British Columbia*, the Colony of *Vancouver Island* shall be and the same is hereby united with the Colony of *British Columbia*, and thenceforth those Two Colonies shall form and be One Colony, with the name of *British Columbia* (which Union is in this Act referred to as the Union).
4. On the Union taking effect, the Form of Government existing in *Vancouver Island* as a separate Colony shall cease, and the Power and Authority of the Executive Government and of the Legislature existing in *British Columbia* shall extend to and over *Vancouver Island*; but in order that Provision may be made for the Representation of *Vancouver Island* in the Legislature of *British Columbia* after the Union, the maximum Number of Councillors in the Legislative Council of *British Columbia* after the Union shall, until it is otherwise provided by lawful Authority, be Twenty-three instead of Fifteen.

5. After and notwithstanding the Union the Laws in force in the separate Colonies of *British Columbia* and *Vancouver Island* respectively at the Time of the Union taking effect shall, until it is otherwise provided by lawful Authority, remain in force as if this Act had not been passed or proclaimed; save only that the Laws relative to the Revenue of Customs in force in *British Columbia* at the Time of the Union taking effect shall, until it is otherwise provided by lawful Authority, extend and apply to *Vancouver Island*; and, until it is otherwise provided by lawful Authority, the Governor of *British Columbia* shall have, in relation to the Territory for the Time being under his Government, all the Powers and authorities for the Time being vested, in relation to the United Kingdom, in the Commissioners of Her Majesty's Treasury or in the Commissioners of Customs, with respect to the Appointment of Warehousing Ports, and the Approval and Appointment of Warehouses or Places of Security in such Ports, and everything consequent thereon or relative thereto.

6. Nothing in this Act shall take away or restrict the authority of the Governor of *British Columbia*, with the Advice and Consent of the Legislative Council thereof, to make Laws for the Peace, Order, and good Government of *British Columbia* either before or after the Union; nor shall anything in this Act interfere with the Exercise of any Power that would have been exercisable by Her Majesty in Council if this Act had not been passed.

7. Until the Union *British Columbia* shall comprise all such Territories within the Dominions of Her Majesty as are bounded to the South by the Territories of the United States of *America*, to the West by the *Pacific Ocean* and the Frontier of the *Russian Territories* in *North America*, to the North by the Sixtieth Parallel of North Latitude, and to the East from the Boundary of the *United States* Northwards by the *Rocky Mountains* and the One hundred and twentieth Meridian of West Longitude, and shall include *Queen Charlotte's Island* and all other Islands adjacent to the said Territories, except *Vancouver Island* and the Islands adjacent thereto.

8. After the Union *British Columbia* shall comprise all the Territories and Islands aforesaid and *Vancouver Island* and the Islands adjacent thereto.

9. The Acts described in the Schedule to this Act are hereby repealed; but this repeal shall not invalidate any Order in Council or other Instrument issued under the authority of those Acts or either of them, or any Act done or Right or Title acquired by virtue of those Acts or of either of them or of any such Order or Instrument.

#### SCHEDULE.

##### *Acts Repealed.*

21 & 22 Vict. c. 99. An Act to provide for the Government of British Columbia.

26 & 27 Vict. c. 83. An Act to define the Boundaries of the Colony of British Columbia, and to continue an Act to provide for the Government of the said Colony.

And I, the said FREDERICK SEYMOUR, as such Governor as aforesaid, do hereby further proclaim and publish that the Colony of *Vancouver Island* shall, from the Proclamation hereof, be and the same is hereby united with the Colony of *British Columbia*, and the said two Colonies shall, from the Proclamation hereof, form and be one Colony, with the name of *British Columbia*.

And I, the said Governor, do hereby further proclaim and publish that, notwithstanding the Union aforesaid, the Laws in force at the Proclamation hereof in the separate Colonies of *British Columbia* and *Vancouver Island* respectively, until it is otherwise provided by lawful authority, shall remain in force as if the said Act had not been passed or proclaimed; save only that the Laws relating to the Revenue of Customs in force in *British Columbia* at the Proclamation hereof shall, until otherwise provided by lawful authority, extend and apply to *Vancouver Island*; and until it is otherwise provided by lawful authority the Governor of *British Columbia* shall have, in relation to the Territory for the time being under his Government, all the powers and authorities for the time being vested, in relation to the United Kingdom, in the Commissioners of Her Majesty's Treasury or in the Commissioners of Her Majesty's Customs, with respect to the appointment of Warehousing Ports, and the approval and appointment of Warehouses or Places of Security in such Ports, and everything consequent thereon or relative thereto.

And I, the said Governor, do hereby further proclaim and publish that all and singular other the Clauses and Provisions of the said Act shall take full effect in the said Colonies and Dependencies so united as aforesaid, under the name of British Columbia, as and from the Proclamation hereof.

This Proclamation may be cited as "The Union Proclamation, 1866."

Issued under the Public Seal of the Colony of British Columbia, at New Westminster, British Columbia, this Seventeenth day of November, in the year of Our Lord One thousand eight hundred and sixty-six, and in the Thirtieth year of Her Majesty's Reign.

*By Command.*

ARTHUR N. BIRCH,  
Colonial Secretary.

GOD SAVE THE QUEEN.

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## PUBLIC NOTICE.

---

COLONIAL SECRETARY'S OFFICE,  
28th December, 1866.

IN obedience to Her Majesty's commands, the Governor has appointed the following Public Officers to be, during Her Majesty's Pleasure, Members of the Legislative Council of British Columbia:—

The Honorables

The Colonial Secretary for the said Colony,  
The Attorney-General for the said Colony,  
The Treasurer for the said Colony,  
The Chief Commissioner of Lands and Works for the said Colony,  
The Collector of Customs for the said Colony.

The Governor has further been pleased to appoint the undermentioned gentlemen to be Members of the said Legislative Council, viz:—

The Honorables

Thomas Lett Wood, acting during the Session as Solicitor General,  
Henry Maynard Ball, as Magistrate, Cariboo West,  
Chartres Brew, as Magistrate, New Westminster,  
Clement Francis Cornwall, as Magistrate, Thompson River District,  
William George Cox, as Magistrate, Cariboo East,  
William J. Macdonald, as Magistrate, Victoria,  
Charles S. Nicol, as Magistrate, Nanaimo,  
Peter O'Reilly, as Magistrate, Kootenay,  
Edward Howard Sanders, as Magistrate, Yale and Lytton.

The following appointments to the Council have also been made by the Governor, in deference to the wishes of the people, as expressed in the Districts mentioned after each Honorable Member's name:—

The Honorables

Amor DeCosmos, Victoria,  
John Sebastian Helmcken, Victoria,  
Joseph Despard Pemberton, Victoria District,  
John Robson, New Westminster,  
Robert Thompson Smith, Columbia River and Kootenay,  
Joseph J. Southgate, Nanaimo,  
Edward Stamp, Lillooet,  
George Anthony Walkem, Cariboo,  
George Wallace, Yale and Lytton.

Provided, always, that such appointments as last mentioned shall be provisional only, as aforesaid, and provided also that they shall continue in force, unless previously determined, until the 30th day of June, A.D. 1868, and no longer.

*By Command.*

ARTHUR N. BIRCH.

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BRITISH COLUMBIA.



FREDERICK SEYMOUR.

{ L.S. }

## PROCLAMATION

By His Excellency FREDERICK SEYMOUR, ESQUIRE, Governor and Commander-in-Chief of the Colony of British Columbia and its Dependencies, &c., &c., &c.

*To the Honorable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;*

*Greeting.*

**K**NOW YE that I, FREDERICK SEYMOUR, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command, and, by the tenor of these presents, enjoin you and each of you that on Thursday, the twenty-fourth day of January, One thousand eight hundred and sixty-seven, at the Council Chamber, New Westminster, personally you be and appear **FOR THE DISPATCH OF BUSINESS**, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, New Westminster, in the Colony of British Columbia, this fourth day of January, in the year of Our Lord One thousand eight hundred and sixty-seven, and in the thirtieth year of Her Majesty's Reign.

*By Command.*

ARTHUR N. BIRCH,  
Colonial Secretary.

---

**Thursday, the 24th day of January, 1867.**

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—

The Honorables A. N. Birch, H. P. P. Crease, W. A. G. Young, J. W. Trutch, W. Hamley, C. Brew, P. O'Reilly, T. L. Wood, E. H. Sanders, W. G. Cox, W. J. Macdonald, H. M. Ball, J. S. Helmcken, J. Robson, A. DeCosmos, J. D. Pemberton, J. J. Southgate, R. T. Smith, E. Stamp, G. A. Walkem.



At half-past one, His Excellency Frederick Seymour, Esquire, Governor of the Colony, entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, administered the customary oaths of allegiance and office to the Members present.

His Excellency then delivered the following gracious Speech:—

*Honorable Gentlemen of the Legislative Council:*

I by no means under estimate the importance of the duty which devolves on me to-day, of practically giving effect to the Legislative Union of the two British Colonies of the North Pacific. Nor can I avoid feeling the grave responsibility which rests upon me as Governor under the present distribution of power. There is considerable, though I trust temporary, depression existing in several portions of the Colony. There are conflicting interests which time alone can reconcile.

In all Legislative bodies on the English model, it is the duty of the head of the Executive Government to state the reasons why such Legislative body has been convened into Session, and this I shall proceed to do.

But first, it is well that I should lay before you the Standing Orders<sup>1</sup> for the conduct of Public business. They are prepared in obedience to Her Majesty's command, and vary but little from those previously in force. In deference, however, to the wishes of several Members of Council, I have struck out the Order fining Members for non-attendance.

I place prominently on the list of the measures which I wish you to pass, Bills of Indemnity to my predecessor in office in Vancouver Island and myself for money expended without an Appropriation Act. The circumstances of the case are sufficiently familiar to all, and I have no doubt but that you will legalise acts of supreme necessity.

I shall likewise lay before you a Bill to indemnify me for having omitted to enforce certain provisions of the Vancouver Island Stock Act, 1865, and Schedule D of the Harbour Dues Act, 1866.

It will be obviously desirable that the Laws of the two sections of the Colony should be assimilated with as little delay as possible. I do not feel competent, at present, to propose this complete amalgamation. That may be left to the next Session. At present, I will endeavour to induce you to select from either section such Laws as may be best suited to the immediate wants of the community at large. The Vancouver Island Bankruptcy Law, and that respecting the Registration of Titles to Land might, I think, with advantage be extended over the whole Colony. From the British Columbia Ordinances, I would select for general adoption, those enabling Indian evidence to be received in Courts of Justice, the Law for the prevention of the sale of Spirituous Liquors to the Aborigines, and that for the protection of their graves.

Then, I would further favorably recommend for your consideration,—the Mining Laws as existing on the main-land, the Postal, Joint Stock, Trustees' Relief, Currency, Game protection Ordinances, and that for the distribution of the Estate of Intestates. These have worked well in British Columbia, and it seems to me that we might beneficially extend their operation. A Bill or Bills for the purpose shall be laid before you.

As it is proposed to place the Crown Lands of Vancouver Island under the control of the Legislature of the United Colony, as soon as suitable provision has been made for the Public Service, I shall lay before you a Bill authorizing the Governor to extend by Proclamation the provisions of the present British Columbia Land Ordinance over the entire Colony, as soon as a satisfactory reconveyance of the Island from the Hudson's Bay Company to the Crown shall have been made.

A Bill shall be laid before you to amend the Act giving certain powers to the Municipality of Victoria.

The Estimates of Revenue and Expenditure are prepared, and shall be laid before you at an early date. I deeply regret to have to state, what however is well known to you, that the finances of both sections of the Colony were in a very unsatisfactory condition at the time that Union took place. Full information as to our exact position shall be laid before you, and I think you will agree with me,

<sup>1</sup> See Appendix.



without examining into the question as to which of the two late Colonies most required the support of the other, that Union and the consequent large reduction of expenditure came none too soon. But gloomy as our present position may be, I think we can look to the future with confidence if we work faithfully together for the public good, merging as far as may be all sectional or local interests in a desire to promote the general welfare.

The Estimates are prepared to meet the present condition of things. They will be found, in the aggregate, to apply for a smaller sum than has for some years past been voted for the service of the main-land alone. As a general rule, with one exception, to which I shall presently refer, all Salaries have been reduced from my own downwards. Though I, for one, do not find labour, responsibility, or expenditure diminished by the Union of the Colonies. Other Public Officers whose Salaries are guaranteed to them by Law, have cheerfully consented to submit to a temporary deprivation in the desire to help the Colony in its present emergency. The exception to which I refer is that of the Judicial Department. It is obviously desirable to avoid any discussion between the Executive Government and the Judges, in regard to the emoluments of the latter.

While deeply regretting the reductions that I am compelled to make, I must place on record, in the most public manner, my opinion that the great majority of the Public Servants who now suffer are fully entitled to Salaries such as they drew last year. I trust that we may regard the present one as of exceptional embarrassment, and that better times may soon lead to a more satisfactory Appropriation Act. It is to the amalgamation, however, of offices rather than to the reduction of Salaries that we must look for our future economy, and I shall earnestly recommend to the Secretary of State the removal to other Colonies of some of our Public Officers. The case of those Gentlemen who, through no fault of their own, lost office on the day of Union, shall likewise be brought under the same consideration.

You will find from the Estimates that I do not propose to undertake any Public Work of magnitude during the year. None are in progress on the main-land; one of secondary importance and moderate expense on the Island approaches completion. The more pleasing task of improvement must be left for another year. It will be sufficient, if for the present we keep our great Road System in repair. I shall be glad if you will express an opinion on two points of importance. What is to be done with the Dredging Machine now lying in Victoria Harbour, and the Steam Vessel built in connexion with it? Do you consider it desirable to keep up a Government Assay Office? On this latter question I cannot act without the sanction of the Secretary of State. The Department was constituted in England, at the request of the Colony, and has principally been managed by directions from the Lords of Her Majesty's Treasury. I must further await a decision as to the disposal of the Public Officers who conduct the Department. Selected at home and proceeding to the Colony on the faith of permanent employment, having always admirably conducted the business of the office, I cannot imagine that they will be losers by any opinion you may express.

Great as is the present temporary financial embarrassment, justice requires the abolition of some of the taxation still existing in the late Colony of Vancouver Island. The Real Estate Tax must be repealed, and the whole taxation assimilated throughout the Colony. Bills having these objects in view shall be laid before you early in the Session.

The Customs Act requires re-consideration. A Bill to amend it shall be laid before you.

Such are the principal measures which the Government proposes to introduce during the present Session. I feel that I have called you together somewhat late in the season; and as there are many matters of vital importance to be dealt with, I will not impede your progress by any measure which can be deferred. The Standing Orders, however, provide for the initiation of Bills by any Member of Council who may be desirous of doing so.

I shall address you, by Message, on the subject of Education and a few other topics of importance during the course of the Session. One of these will probably be as to the cause of the selection made for the Seat of Government of the United Colony. Up to within a few hours of meeting you, I had not the intention of touching upon it, but I am informed that the question creates an amount of interest which

I cannot comprehend, but which appears to me a sign of great local depression. I shall address you on the subject by Message.

And now, before leaving you, let me express my confidence that better days are yet in store for us. The heavy cloud of adversity which hangs over the South lightens as we proceed Northward, and no winter has yet seen a more numerous and contented Mining population than that which is now working on our Gold Creeks.

I shall watch with much interest your proceedings in the Session I open to-day. Grave and important duties are confided to our hands, and I firmly believe that they will be fairly dealt with. Trusting that the blessing of the Almighty may rest upon the efforts we are about to make to promote the welfare of the magnificent territory He has temporarily committed to our charge, I now leave you to your deliberations.

His Excellency then left the Council Chamber.

The Hon. the Colonial Secretary took the Chair as Presiding Member.

The Hon. the Presiding Member informed the Council that to prevent mistakes he had obtained a copy of the Governor's Speech.

The Hon. Mr. Helmcken rose to speak to a question of privilege.

Ordered that the Honorable Member do before the Council rises bring forward a motion on the subject, to be considered at the next meeting of the Council.

On the motion of the Hon. Mr. Young, the Hon. Mr. O'Reilly seconding,  
Resolved, That the Governor's Speech be printed for the use of Members.

On the motion of the Hon. Mr. Sanders, the Hon. Mr. Walkem seconding,  
Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw out and submit a reply to His Excellency's gracious Speech.

The following Honorable Members were appointed accordingly:—The Hon. The Collector of Customs, the Hon. Messrs. Sanders, Robson, Macdonald, Walkem, Pemberton.

According to Order, the Hon. Mr. Helmcken then gave notice that he would at the next meeting of the Council bring forward the subject of seven Members only having been appointed for Vancouver Island.

The Hon. Mr. Ball moved the adjournment till Monday.

The Hon. Mr. Helmcken moved in amendment, That the Council adjourn till Wednesday, at 3 p.m.

Amendment carried. Ordered accordingly.

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### Wednesday, the 30th day of January, 1867.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Wood, Hamley, Brew, Young, O'Reilly, Sanders, Cox, Ball, Pemberton, Stamp, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Smith, Southgate.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Crease gave notice of motion (2).

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. Macdonald gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Hamley, Chairman of the Select Committee appointed to frame a reply to His Excellency's Speech, handed in a Report, which was read as followeth:—

*To His Excellency* FREDERICK SEYMOUR, *Governor and Commander-in-Chief of British Columbia and its Dependencies, Vice-Admiral of the same, &c., &c., &c.*

MAY IT PLEASE YOUR EXCELLENCY:

We, Her Majesty's dutiful and loyal subjects, the Legislative Council of British Columbia, have received with pleasure the Speech with which you have honored us.

We are fully sensible of the arduous and important duties devolving upon Your Excellency at this critical period in the history of the Colony, and we shall not fail on our part to render every assistance in carrying out all measures calculated to promote the public welfare.

The Acts of Indemnity referred to by Your Excellency, and the Bills amalgamating the Laws of the Colony, shall receive our most favourable consideration.

We are gratified to learn that the Crown Lands of Vancouver Island are to be placed under the control of the Legislature. We trust that the reconveyance of the Island will be consummated with as little delay as possible, and that it will be followed by a general Land system so liberal as to encourage immigration and settlement, and to foster our agricultural interests.

Conscious of the financial embarrassment of the Colony, we observe with satisfaction that Your Excellency has caused the Estimates to be prepared with the strictest economy compatible with the efficiency of the Public Service.

Your Excellency having drawn the particular attention of the Council to the Assay Office, and to the Dredging Machine and Steamer, we venture to assure you of the earnest consideration with which these subjects shall be treated by the Council.

We desire to express our entire concurrence in the proposed measures for the repeal of the Real Estate Tax in Vancouver Island, and for the assimilation of Taxation throughout the Colony.

We shall look forward with anxiety to the Messages which Your Excellency has been pleased to promise us, upon the important subjects of Education and the Seat of Government.

We are fully alive to the serious responsibilities which rest upon us in the discharge of our duties during the ensuing Session, and we beg to assure Your Excellency that the task imposed upon us will be cheerfully undertaken, that the interests confided to us will be carefully guarded, and that in the promotion of all measures conducive to the advancement and prosperity of the Colony Your Excellency will meet with our most cordial co-operation. With Your Excellency also, we venture to hope that the days of depression may soon pass away, and we confidently look forward to the wisdom of Your Excellency's administration, to stimulate industry, restore confidence, and dispel the present gloom, perfectly trusting that under the guidance of Divine Providence Your Excellency's efforts may be crowned with success.

On the motion of the Hon. Mr. Wood, the Hon. Mr. Smith seconding,

That this Report be adopted.

The Hon. Mr. DeCosmos moved in amendment that the report be referred to a Committee of the whole,

Ordered accordingly.

The Council resolved itself into the said Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Chairman of the Committee reported that the Committee had approved of the Report, with the alteration of one word in Section 4, namely "observe" to "learn."

Ordered that the Report as thus amended be adopted.

The Hon. Mr. Crease moved, the Hon. Mr. Walkem seconded,

That the Reply to His Excellency's Speech be presented by the House.

On the Order of the day being read therefor,

The Hon. Mr. Helmcken brought forward the subject of seven Members of Council only having been appointed for Vancouver Island.

The Hon. the Attorney General replied.

Thereupon a debate arose, which having terminated,

The Hon. Mr. Macdonald moved the adjournment.

The Council was adjourned accordingly till to-morrow, the 31st instant, at 3 o'clock.

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### Thursday, the 31st day of January, 1867.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

At half-past 3 o'clock, there being no quorum present, the Presiding Member adjourned the Council till 1 o'clock p.m. to-morrow, the 1st February.

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### Friday, the 1st day of February, 1867.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Hamley, Brew, O'Reilly, Sanders, Cox, Ball, Pemberton, Smith, Robson, DeCosmos, Helmcken, Macdonald.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Wood gave notice of motions.

The Hon. Mr. Trutch gave notice of motion.

The Hon. Mr. Helmcken gave notice of 4 motions.

The Hon. Mr. Robson gave notice of motion.

Then, on the motion of the Hon. Mr. Wood, the Council adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member informed the Council that, in pursuance of the order of the Council, he, attended by several Members



of the Council, had waited upon the Governor to present the Address in reply to his Excellency's Speech at the opening of the Council, and that His Excellency had been pleased to make thereto the following rejoinder.

*Honorable Gentlemen of the Legislative Council:*

I have received with much satisfaction the Address which you have just presented.

I feel that the Government and people are much indebted to you for devoting yourselves to the Public Service at a time when your duties, like my own, must be unmixedly disagreeable. I trust that when the Governor meets you next year he will be in a position to propose some works of improvement much more agreeable to entertain than the present labour of reduction and retrenchment.

According to Order, the Hon. Mr. Crease introduced the Imposts Indemnity Bill.

Ordered to be read first time.

Read first time accordingly.

Second Reading ordered for next Meeting of Council.

According to Order, the Hon. the Attorney General introduced a Bill for assimilating the Laws of the Colony,

Ordered that the Bill be now read the first time.

Read the first time accordingly.

Second Reading ordered for Tuesday next.

On the Order of the day being read therefor,

The Hon. Mr. Pemberton moved the following resolution, the Hon. Mr. DeCosmos seconding,

That a respectful address be presented to the Governor, asking for a copy of His Excellency's Instructions and Commission to be furnished to the Council.

The Hon. Mr. Macdonald moved in amendment, the Hon. Mr. Robson seconding,

That the word "Commission" be struck out, and that an Address be presented to the Governor, asking for His Excellency's Instructions referring to the Constitution of the Colony and the construction of this Council.

On the amendment being put the Council divided.

*Ayes 10, Noes 6,*

So the amendment was passed in the affirmative, and the original motion lost.

On the Order of the day being read therefor, the Hon. the Attorney General introduced a Bill respecting the application of the Customs Duties.

On the motion for first reading, a debate arose.

On the question being put the Council divided.

*Ayes 13, Noes 4.*

So it was Resolved in the affirmative.

Bill read first time accordingly.

On the question of the second reading being put,

The Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the Bill be considered in the Committee of ways and means.

On the amendment being put, the Council divided.

*Ayes 6, Noes 10.*

So it passed in the negative.



On the Original question being put, the Council again divided.

*Ayes 10, Noes 6.*

So it was resolved in the affirmative, and Ordered that the said Bill be read the second time this day week.

According to Order, the Hon. Mr. Macdonald asked leave to bring in the Victoria Incorporation Aid Bill.

Ordered that leave be granted.

The Hon. Member presented the said Bill accordingly.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Monday, the 4th Instant.

On the Order of the day being read for the Hon. Mr. DeCosmos to move an Address to the Governor, praying that His Excellency may be pleased to instruct the Collector of Customs to discontinue, at once, the Collection of Duties on Merchandise shipped from Vancouver Island for any portion of the former Colony of British Columbia.

Ordered that leave be granted for the same, to be deferred for the present.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 2 o'clock p. m., Monday, the 4th February.

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### Monday, the 4th day of February, 1867.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Young, Brew, Hamley, O'Reilly, Sanders, Cox, Ball, Pemberton, Smith, Robson, Walkem, Macdonald, Helmcken, DeCosmos.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Helmcken gave (for Hon. Mr. Southgate) a notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

According to order, the Hon. the Chief Commissioner introduced the Land Law Extension Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Thursday next.

According to order, the Hon. the Solicitor General introduced the Ordinance Conciseness Bill.

Ordered to be read first time.

Read first time accordingly.

Second reading ordered for Tuesday the 5th Instant.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 1.*

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, the Governor lays before the Board a copy of such portions of Her Majesty's Instructions to him, as refer to the Constitution of the Colony, and the Construction of the Legislative Council.<sup>2</sup>

It was decided in another Colony with which the Governor was connected that the House of Assembly was not entitled as of right to be put in possession of the Royal Instructions. The Governor will not however throw any impediments in the way of the Council during the present difficult Session.

*Government House,  
2nd February, 1867.*

Ordered that the same be printed.

A further Message from His Excellency, read as follows:

*Message No. 2.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a statement shewing the condition in which the Auditing of the Public Accounts of Vancouver Island stood at the time of the Union of the Island with British Columbia.<sup>3</sup>

The Governor likewise places before the Council, an estimate of the time and expenditure which would be necessary for settling these accounts. He would be glad to know if the Legislative Council would wish the books to be thoroughly examined, or else closed with the accounts up to the 19th November.

*Government House,  
4th February, 1867.*

Ordered that the same be printed.

On the motion of the Hon. Mr. Trutch, Ordered that the Council do go into Committee of the whole to-morrow, to consider His Excellency's Message No. 2.

The Hon. Mr. Helmcken moved that the Standing Orders be suspended to enable him to give a notice of motion.

Ordered accordingly.

The Hon. Member then gave a notice of motion.

On the Order of the day being read therefor,

The Hon. Mr. Helmcken asked whether it is the intention of the Government to repeal the Ordinance relating to Head Money.

The Hon. the Colonial Secretary replied.

According to Order, the Hon. Mr. Helmcken asked whether it is the intention of the Government to introduce a Bill to regulate the Coasting Trade.

The Hon. the Colonial Secretary replied.

According to order, the Hon. Mr. Helmcken asked leave to introduce a Bill to repeal the Trades Licences Amendment Act of Vancouver.

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<sup>2</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1867, pp. i-ii.

<sup>3</sup> *Ibid.*, p. iii.

The Hon. the Attorney General having stated that the Government had such a measure in contemplation,

Ordered that leave be granted to the Hon. Member to withdraw his motion.

Motion withdrawn accordingly.

According to order, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the following words be expunged from Standing Order No. 21, "which must be obtained on the day of notice."

The Hon. Mr. Robson moved in amendment, the Hon. Mr. Pemberton seconding.

That a respectful address be presented to the Governor requesting His Excellency to expunge all words in Section 21 of the Standing Orders, after "intention."

On the amendment being put the Council divided.

*Ayes 12, Noes 4.*

So it passed in the affirmative, and was resolved accordingly.

On the Order of the day being read therefor, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding.

And it was Resolved, That a respectful address be presented to the Governor requesting His Excellency to expunge Clause 61 of the Standing Orders, and to allow the Public and Reporters of the Press free access to the Council during the pleasure of this House.

Pursuant to the Order of the day, the Impost Indemnity Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight alteration.

Ordered that the said Bill be read third time to-morrow.

Pursuant to the Order of the day, The Victoria Incorporation Aid Bill was read second time.

Ordered to be committed forthwith.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered that the said Bill be read third time to-morrow.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till to-morrow, the 5th February, at 3 o'clock.

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**Tuesday, the 5th day of February, 1867.**

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The Council met at 3 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Young, Wood, Ball, O'Reilly, Sanders, Brew, Cox, Pemberton, Stamp, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Smith gave two notices of motion.

Pursuant to the Order of the day, The Assimilation Bill was read the Second time.

Ordered to be committed to-morrow.

According to Order, the Hon. Mr. Robson moved, the Hon. Mr. Smith seconding,

That His Excellency the Governor be respectfully requested to lay before this House, Returns shewing the amount of Revenue derived from Tonnage Dues and Road Tolls during the year 1866; and also shewing the amount of Public Money expended by the Government during the same period in keeping the Roads, in respect of which Tolls are collected, in repair; such Returns to distinguish between the two branches below the Junction and the Main Trunk Road above that point.

On the question being put it was carried unanimously, and Resolved accordingly.

According to Order, the Hon. Mr. Pemberton moved, the Hon. Mr. Stamp seconding,

That a respectful address be presented to His Excellency asking for a Return of the Income and Expenditure of the Assay Office during the past year.

On the question being put it was carried unanimously, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Officer's Enabling Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for to-morrow.

According to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Robson seconding,

That a respectful address be presented to the Governor praying that His Excellency will be pleased to remit the Harbour Dues and Clearance Fees upon all Vessels coasting between Vancouver Island and the Mainland, until such time as an Ordinance be passed repealing the same.

On the question being put it was carried unanimously and ordered accordingly.

Pursuant to the Order of the day, the Conciseness Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain slight alterations.

Ordered to be read third time to-morrow.

The Hon. Mr. Robson moved that the Standing Orders be suspended in order to enable him to give a notice of motion.

Ordered accordingly.

The Hon. Member then gave notice of motion.

Pursuant to the Order of the day, the Council resolved itself into a Committee of the whole on the Governor's Message No. 2, relative to Auditing the Accounts of Vancouver Island.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution of the Committee for the adoption of the Council:

Moved by the Hon. Mr. Young, seconded by the Hon. Mr. Robson,

That His Excellency the Governor be respectfully requested to place the sum of \$200 on the Estimates for the year 1867, for the purpose of completing the Audit of the Accounts of the late Colony of Vancouver Island, from the 1st January, 1866, to the 19th November, 1866.

On the question of the adoption of this report being put, it was carried unanimously, and resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in Legal Professions Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time at once,

Read first time accordingly.

Second reading deferred.

Pursuant to the Order of the day, the Imposts Indemnity Bill was read the third time, and it was Resolved that this Bill do now pass, and that its title be the "Imposts Indemnity Ordinance, 1867."

Pursuant to the Order of the day, the Victoria Incorporation Aid Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Victoria City Aid Ordinance, 1867."

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 3 to-morrow.



### Wednesday, the 6th day of February, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. the Presiding Member produced a *Dedimus Potestatem* from the Governor, empowering him to swear in Members of Council, during the present Session.

The same was read aloud by the Clerk as follows:

L.S.

FREDERICK SEYMOUR.

*To ARTHUR BIRCH, ESQUIRE, Presiding Member of the Legislative Council of British Columbia, and whom else it may concern;*

*Greeting.*

KNOW ye that FREDERICK SEYMOUR, ESQUIRE, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said Arthur Birch, and under and by virtue of all powers and authorities him the said Frederick Seymour, as such Governor, in that behalf enabling, hath appointed and by these presents doth give and grant unto the said Arthur Birch full power and authority to administer the customary oath to Members of the Legislative Council, during its present Session.

GIVEN under my hand and seal, at New Westminster, British Columbia, this Sixth day of February, A.D. 1867, and in the 30th year of Her Majesty's Reign.

The Hon. Mr. Sanders then introduced a new Member of Council, Francis Jones Barnard, Esquire, to whom the Hon. Presiding Member administered the customary oath of allegiance and office.

The Hon. Mr. Barnard then took his seat at the Council.

The Minutes of the previous Meeting were read over and confirmed.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Brew, O'Reilly, Sanders, Cox, Ball, Pemberton, Smith, DeCosmos, Helmcken, Barnard, Macdonald.

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

The Hon. Mr. DeCosmos gave notice of 3 motions.

Pursuant to the Order of the day, the Assimilation of Laws Bill was considered in Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in a Resolution of the Committee, and asked leave to sit again.

Ordered that leave be granted, and that the Resolution as follows be adopted.

Moved by the Hon. Mr. DeCosmos, seconded by the Hon. Mr. Helmcken, that a Select Committee consisting of the Hon. Messrs. Crease, Wood, Walkem,

Young, DeCosmos, be appointed to revise the Statutes mentioned in Schedule B, and report as occasion require.

Pursuant to the Order of the day, the Enabling Ordinance was read second time.

Ordered to be committed at once.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight emendation.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Conciseness Bill was then read third time, and it was Resolved that this Bill do pass, and that its title be the "Common Sections Ordinance, 1867."

Then, on the motion of the Hon. Mr. Brew, the Council adjourned till 2 o'clock to-morrow.

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### Thursday, the 7th day of February, 1867.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs, Birch, Crease, Trutch, Wood, Hamley, Brew, Young, O'Reilly, Sanders, Cox, Ball, Pemberton, DeCosmos, Helmcken, Macdonald, Barnard, Robson, Smith, Southgate.

The Minutes of the previous Meeting where read over and confirmed.

The Hon. Mr. Robson gave notice of 2 motions.

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos, that the House go into Committee of the whole to consider the propriety of amending the Constitution of the Legislative Council, so as to make the total number of the Members to be 24, one-third to be nominated by the Crown and two-thirds to be elected by the people,

The Hon. Member asked leave for the consideration of the question to be deferred till Thursday next.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. the Attorney General brought in the Trades Licences Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Thursday next.

Pursuant to the Order of the day, the Hon. Mr. Smith moved, the Hon. Mr. Robson seconding,

That the Government take into consideration the advisability of immediately abolishing the Road Tolls and Tonnage Dues, and increasing the Customs Tariff, so as to make up for the deficiency in the Revenue which would be caused by reason of such abolition.

Whereupon a debate arose.

The Hon. Mr. Helmcken then moved, the Hon. Mr. Crease seconding,

That the debate on this question be adjourned till Thursday.

On the question of adjournment being put it was carried unanimously and Ordered accordingly.

On the Order of the day being read for the motion of the Hon. Mr. Pemberton,

That an address be presented to His Excellency the Governor praying that he will be pleased to place upon the Estimates the sum of \$10,000 for the purpose of completing the Metchosin Road, and \$2,000 for the purpose of completing the Saanich Road, both in Vancouver Island,

The Hon. Member asked leave to withdraw the motion in question.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Pemberton asked leave to bring in the acquisition of Land Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read the first time accordingly.

Second Reading ordered for Friday, 15th instant.

Pursuant to a deferred Order of the day, the second reading of the Hon. the Chief Commissioner's Land Bill was deferred till Friday, the 15th instant.

Pursuant to the Order of the day, the Officer's Enabling Bill was read third time, and it was Resolved that the same do pass, and its title be the "Officers' Enabling Ordinance, 1867."

On the Order of the day being read for the adjourned committal of the Assimilation Bill,

Ordered that the same do stand on the Order of the day for to-morrow.

The Hon. Mr. Young moved the adjournment till to-morrow, at 2 p. m.

The Hon. Mr. Robson in amendment to 3 p. m.

The amendment being carried,

The Council adjourned till to-morrow the 8th Instant, at 3 o'clock.

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### **Friday, the 8th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Hamley, Trutch, Wood, Young, Brew, Ball, O'Reilly, Sanders, Cox, Southgate, Pemberton, DeCosmos, Macdonald, Helmcken, Smith, Robson, Barnard.

The Hon. Mr. Helmcken gave (for the Hon. Mr. Stamp) notice of motion.

On the order of the day being read for the second reading of the Customs application Bill,

The Hon. Mr. Young moved, the Hon. Mr. Macdonald seconding,

That the Order of the day for the second reading of the Customs Bill be postponed, and that the second reading be deferred till after the Estimates are before the House.

The Hon. Mr. Helmcken moved in amendment, the Hon. Mr. DeCosmos seconding,

That the Customs application Bill be referred to the Committee of Ways and Means.

On the amendment being put the Council divided.

*Ayes 10, Noes 7.*

So it was Resolved in the affirmative, and Ordered accordingly.

On the Order of the day being read for the consideration of the Hon. Mr. Smith's motion,

That the sum of \$15,000 be placed on the Estimates for the purpose of opening Trails in the Columbia District, the most important of which is a Trail from a point on Columbia River, near the mouth of Gold Creek, to the Boat Encampment, so as to complete the connection between the Big Bend Mines and the Settlements on the East of the Rocky Mountains,

The Hon. Member moved that the same do lie on the table.

Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Southgate moved, the Hon. Mr. Pemberton seconding,

That His Excellency the Governor be respectfully requested to place the sum of £250 on the Estimates for the purpose of erecting a Bridge at Nanaimo.

Moved in amendment by the Hon. Mr. Helmcken, the Hon. Mr. Robson seconding,

That the words "not exceeding" be inserted before "£250," and "repairing" substituted for "erecting."

On the question as amended being put, it was carried after a division.

*Ayes 10, Noes 6,*

And Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Southgate seconding,

And it was Resolved, That an address be presented to His Excellency the Governor, praying that he may be pleased to supply this House with Returns of Transport, shewing the Expenditure under each head for 1866.

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos,

That a respectful address be presented to His Excellency the Governor, praying that a sum of Twenty-five Thousand Dollars may be placed in the Estimates for constructing a road from Gold Stream to Cowichan, and improving the road thence to Nanaimo,



A debate arose.

After which it was moved by the Hon. Mr. Macdonald, seconded by the Hon. Mr. Sanders, and

Resolved, That the motion of the Hon. Mr. DeCosmos do lie on the table.

According to Order, the Hon. Mr. DeCosmos asked Whether it is the intention of the Government to throw open the whole or any portion of the Indian Reserves at Cowichan for settlement?

The Hon. the Colonial Secretary replied.

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos,

That a respectful address be presented to His Excellency the Governor, praying that the sum of \$2,000 may be placed on the Estimates for the construction of a Road through Comox,

The Hon. Member moved that the same do lie on the table.

Ordered accordingly.

Pursuant to the Order of the day, the Council resolved itself into an adjourned Committee on the Assimilation Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted.

The Chairman of the Select Committee appointed to consider and revise the Statutes named in Schedule B, of the Assimilation of Laws Bill, brought in the first Report, viz: the Oaths and Evidence Bill.

Ordered that the Report of the Committee be adopted and the said Bill read first time.

Bill read first time accordingly.

Ordered to be read second time on Monday.

The Hon. Mr. Helmcken then moved the adjournment of the Council till Wednesday, at 3 o'clock.

The Hon. Mr. Ball having moved, in amendment, the adjournment till Monday at 3 o'clock.

The amendment was carried, and it was Ordered accordingly.

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### **Monday, the 11th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Wood, O'Reilly, Brew, Ball, Cox, Sanders, Robson, Southgate, Barnard.

The Minutes of the previous Meeting were read over and confirmed.



A Message from His Excellency the Governor, which being read is as follows:

*Message No. 3.*

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council passed on the 5th Instant, the Governor forwards a Return of the Receipts and Expenditure of the Assay Department during the last three years.

The Governor adds a general report on the working of the Department which he has received from the Superintendent.<sup>4</sup>

*Government House,  
11th February, 1867.*

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Barnard seconding, the following Resolution:

That an address be presented to His Excellency the Governor, urging the desirability of having the Indian Reserves of the Colony reduced to what is necessary for the actual use of the Natives, and to have such Reserves properly defined, the remainder to be thrown open for settlement.

A debate on the question having terminated,

The Hon. mover asked leave to amend the Resolution by erasing the words "of the Colony" and substituting "on the lower Fraser."

Ordered that leave be granted.

The Resolution was then put as amended and carried unanimously.

According to the Order of the day, the Oaths and Evidence Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with slight alteration.

Ordered that the said Bill be read the third time at the next sitting of the Council.

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation Bill, brought in a further Report, viz:

The Sheriff's Law Assimilation Bill, and Indian Liquor Bill.

Ordered that the Report of the Select Committee be adopted, and the Bills severally read the first time.

The Bills in question were severally read the first time.

Second Reading ordered for next Meeting of Council.

The Hon. Mr. Ball moved the adjournment.

The Hon. the Attorney General moved that the Standing Orders be suspended to enable him to hand in a further report from the Select Committee appointed to revise the Acts mentioned in Schedule B. of the Assimilation Bill.

<sup>4</sup> *Ibid.*, pp. iv-v.

Standing Orders suspended accordingly.

The Hon. the Attorney General then handed in a further report, viz:

The English Law Application Bill, and the Interest Bill.

Ordered that the Report be adopted and the Bills in question severally read the first time.

Bills severally read the first time.

Ordered to be read the second time at next sitting of Council.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., Wednesday, the 13th February.

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### Wednesday, the 13th day of February, 1867.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Brew, Hamley, O'Reilly, Ball, Sanders, Cox, Southgate, Robson, Smith, Barnard, Walkem.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 4.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Ordinances:

1. An Ordinance of Indemnity for not enforcing certain local taxes of Vancouver Island.
2. An Ordinance in aid of the Municipal Taxation in Victoria.

*Government House,  
12th February, 1867.*

On the Order of the day being read for a motion of which notice was given by the Hon. Mr. Stamp,

On the motion of the Hon. Mr. Southgate,

Ordered, That the same be brought forward to-morrow, in consequence of the absence of the Hon. mover thereof.

On the Order of the day being read for the Hon. Mr. Robson's motion to ask leave to bring in a Homestead Bill,

The Hon. Member asked to leave to postpone the same till Friday next.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. the Colonial Secretary brought in the Estimates for the year 1867.

Ordered that the Council do resolve itself into a Committee of Supply on Friday next.

Pursuant to the Order of the day, the Oaths and Evidence Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "The Evidence Ordinance, 1867."

Pursuant to the Order of the day, The Sheriffs' Law Bill was read the second time.

Ordered that the Council do go into Committee of the whole at once on the said Bill.

The Council resolved itself into a Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain emendations.

Ordered that the said Bill be read third time to-morrow.

Pursuant to the Order of the day, the Indian Liquor Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Bill had been gone through with certain emendations, and that he was instructed to ask leave for the Bill to be re-committed at once.

Ordered that leave be granted, and Bill re-committed accordingly.

On the Presiding Member again resuming the Chair,

The Committee rose and the Chairman reported that the Bill was now complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, The English Law Bill was read second time.

Ordered to be committed to-morrow.

On the Order of the day being read for the second reading of the Interest Bill,

The Hon. Mr. Trutch moved that the House do adjourn.

The Council divided.

*Ayes 10, Noes 6.*

So it was Resolved in the affirmative, and the Council adjourned till 2 o'clock to-morrow.

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### Thursday, the 14th day of February, 1867.

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The Council met at 2 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, O'Reilly, Hamley, Brew, Sanders, Ball, Cox, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation Bill, brought in a further report, viz:

The Postal Bill, and the Gold Mining Bill.

Ordered that the Report be adopted, and that the Bills be severally read first time.

Read first time accordingly.

The second reading of the Postal Bill was Ordered for Tuesday next.

On the Hon. the Attorney General having moved the second reading of the Gold Fields Bill,

Ordered that the Bill be referred back to the Select Committee, in order that the suggestions of the Gold Commissioners may be received.

On the Order of the day being read for the Hon. Mr. DeCosmos' motion in reference to the proposed alterations in the Constitution of the Council.

The Hon. Member asked leave to postpone the consideration till Tuesday next.

Ordered that leave be granted.

On the Order of the day being read for the Hon. Mr. Stamp's motion,

That His Excellency the Governor be respectfully requested to place the sum of £600 upon the Estimates for the purpose of repairing the Road leading from Douglas Street to English Bay, and for making a branch from said Road over False Creek to new Saw Mill, on Burrard Inlet,

The Hon. Member moved, the Hon. Mr. Trutch seconded,

That the attention of His Excellency the Governor be respectfully drawn to the advisability of repairing the Road leading from Douglas Street to English Bay, and for the construction of a Branch Road over False Creek to new Saw Mill, on Burrard Inlet.

Amendment carried and Resolved accordingly.

According to Order, the Hon. Mr. Robson moved, the Hon. Mr. Pemberton seconding,

That an address be presented to His Excellency the Governor respectfully requesting that the Customs Tariff may be so amended as to subject the under-mentioned articles to the rate of duty placed opposite each:

Lumber (Fir or Cedar), if rough, _____	\$3 per thousand feet.
Ditto if dressed _____	\$5                   "
Shingles, per thousand, _____	\$1.
Laths,                   " _____	\$1.
Fence Pickets,       " _____	\$2.
Hay, _____	20 per cent <i>ad valorem</i> .
Vegetables, (fresh) _____	20                   "
Fruit, (green) _____	25                   "
Poultry, (dead or alive) _____	25                   "
Eggs, _____	20                   "
Black Cattle, other than for breeding purposes, _____	\$5 each.
Ditto, if for breeding purposes, _____	free.
Hogs, _____	\$2 each.
Dead Meat, including Hams and Bacon, _____	20 per cent.
Butter, _____	25 per cent.

Lard, .....	20 per cent.
Confectionery, .....	25 per cent.
Bread, .....	25 per cent.
Tinware, .....	25 per cent.
Machinery, .....	10 per cent.

Ordered that the same be printed and considered in Committee of Ways and Means.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 5.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 5th instant, the Governor transmits a Return (closely approximate) shewing the amount received from Road Tolls during the year 1866.<sup>5</sup>

He likewise forwards a Return shewing the amount of Tonnage Dues received at the Port of New Westminster for the same period.

Further he transmits a Statement of moneys expended in construction of and repairs to Roads on which Tolls were collected during the year 1866.

*Government House,  
14th February, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 6.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Petition presented to him praying for the abolition or reduction of the Road tolls.<sup>6</sup> He greatly regrets to have to state that he does not think that it can be favourably entertained at present.

In connection with this subject, the Governor forwards to the Legislative Council a Statement of the average prices of the principle articles of consumption at the Gold Mines, as furnished by the Magistrates stationed at Cariboo during the last four years.

*Government House,  
14th February, 1867.*

Ordered that the above Messages be printed for the use of Members.

On the Order of the day being read for the third reading of the Sheriffs' Bill,

On the motion of the Hon. Mr. Walkem,

Ordered that the Standing Orders be suspended in order that the same may be re-committed.

Standing Orders suspended accordingly.

The Council went again into Committee on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that several alterations had been made in the Bill, and that it was now complete.

Ordered that the same be read third time on Monday next.

On the Order of the day being read for the third reading of the Indian Liquor Bill.

The Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the Bill be thrown out.

<sup>5</sup> *Ibid.*, p. vi.

<sup>6</sup> *Ibid.*, p. vii.





Wednesday, the 15th day of February, 1867.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Hamley, Trutch, Wood, Young, Brew, Ball, O'Reilly, Sanders, Cox, Southgate, Pemberton, DeCosmos, Macdonald, Helmcken, Walkem, Stamp, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 7.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, requesting him to supply Returns of Transport, shewing the expenditure under each head in 1866.

The Governor having referred to the Auditor General (although previously aware of the labour which the furnishing the Returns in detail would require) is officially informed that it would take much time to prepare the Returns, and that it is impossible to make them thoroughly satisfactory to the Council, inasmuch as some of the amounts for the month of December have not been received.

The Governor does not imagine that the Legislative Council would wish to have before them the details asked for, which would include a statement of every pound of barley or oats consumed by the horses of the Officer lately administering the Government when visiting the Gold Mines, or of those employed by the Supreme Court when on Circuit; if such however be the desire of the Council, the Return, at whatever expense or inconvenience, shall be forwarded. Perhaps, however, the nature of the information required might be specified and thus the labour of the Auditor's department considerably diminished.

*Government House,  
15th February, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 8.*

FREDERICK SEYMOUR.

The Governor has received the Resolution, passed by the Legislative Council on the 5th instant, in favour of the remission of Harbour Dues and Clearance Fees upon all Vessels engaged in the Coasting Trade of the Colony, until such time as an Ordinance be passed regarding the same.

The Governor has given instructions which will be satisfactory to the Legislative Council.

*Government House,  
15th February, 1867.*

On the Order of the day being read for the Council to go into Committee of Supply,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Southgate seconding,

That approximate Returns of Revenue and Expenditure for 1866 be laid before the Council before going into Supply.

The Hon. Mr. Macdonald moved in amendment, the Hon. Mr. Young seconding, that the word "Expenditure" be struck out.

On the motion as amended being put, it was Resolved in the affirmative and Ordered accordingly.

Ordered that the Council do go into Committee of Supply on Monday.

On the Order of the day being read for the motion of the Hon. Mr. Robson, to ask leave to bring in Mechanics' Lien Law Bill,

The Hon. Member asked leave for the same to be postponed till Thursday next.

Ordered that leave be granted.

On the Order of the day being read for the second reading of Hon. Mr. Trutch's Land Bill,

Ordered that the same be considered in connection with the Bill standing next on the Order of the day.

On the Order of the day being read for the Hon. Mr. Pemberton's Land Bill to be read second time,

Ordered that the Land Bills of both Hon. Members be referred to a Select Committee, to be nominated by the Hon. the Presiding Member.

The following Hon. Members were selected accordingly:—The Hon. the Chief Commissioner of Lands and Works, the Hon. Messrs. Ball, Pemberton, Robson, Walkem, DeCosmos, Macdonald.

Pursuant to the Order of the day, the Hon. Mr. Robson asked leave to bring in a Homestead Exemption Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Bill read the first time accordingly.

Second reading ordered for Tuesday week.

On the Order of the day being read for the second reading of the Trades Licenses Bill,

Ordered to be read second time on Friday week.

Pursuant to the Order of the day, the English Law application Bill was read the third time, and it was Resolved that this Bill do now pass, and that its title be the "English Law Ordinance, 1867."

The Hon. Mr. Trutch moved the adjournment till 2 o'clock, on Monday.

The Hon. Mr. Robson moved in amendment, 3 o'clock on Monday.

On the amendment being put it was carried, and the Council accordingly adjourned till 3 o'clock, p.m., on Monday, the 18th instant.

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### **Monday, the 18th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Hamley, Brew, Young, O'Reilly, Sanders, Cox, Ball, Pemberton, DeCosmos, Helmcken, Macdonald, Walkem, Barnard, Robson, Smith, Southgate, Stamp.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 9.*

FREDERICK SEYMOUR.

In deference to the wishes of the Legislative Council, the Governor has struck out the 61st Section of the Standing Orders. He has likewise struck out from Section 21 all the words after "intention".

The imposition of fines for non-attendance having been withdrawn, the Governor has expunged further the 64th, 65th, and 66th Sections.<sup>7</sup>

*Government House,  
16th February, 1867.*

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the Council to go into Committee of Supply,  
Ordered that the same be postponed till Thursday.

On the Order of the day being read for the second reading of the Postal Bill,  
A debate arose.

On the question of the second reading being put, the Council divided.

*Ayes 10, Noes 7.*

So it was resolved in the affirmative, and Ordered that the said Bill be read the second time at once.

Read second time accordingly.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Sheriffs' Law Bill was read third time, and it was Resolved that this Bill do pass and that its title be "The Sheriffs' Ordinance, 1867."

Pursuant to the Order of the day, the Council went into a Committee of the whole on the Interest Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day the Ferries and Bridges Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Intestate Estate Sales Bill was read second time.

Ordered to be committed on Wednesday next.

Pursuant to the Order of the day, the Legal Professions Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

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<sup>7</sup> *Ibid.*, pp. ix-x.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that considerable alterations having been made to the Bill it was now complete.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., to-morrow.

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### Tuesday, the 19th day of February, 1867.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Trutch, Young, Crease, Hamley, Brew, Ball, O'Reilly, Sanders, Cox, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Barnard, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Pemberton gave notice of motion.

On the Order of the day being read for the Hon. Mr. DeCosmos' motion,

That the House go into Committee of the whole to consider the propriety of amending the Constitution of the Legislative Council, so as to make the total number of Members twenty-four, one-third to be nominated by the Crown and two-thirds elected,

And the question of going into Committee of the whole, the Council divided.

*Ayes 10, Noes 5.*

So it was Resolved in the affirmative, and Ordered accordingly.

The Council resolved itself into a Committee of the whole.

The Presiding Member left the Chair.

The Hon. Mr. Trutch in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted.

The Hon. Mr. Robson moved that the said motion be considered to-morrow.

The Hon. Mr. Walkem moved, in amendment, that the consideration of the question be adjourned for one week.

On the amendment being put the Council divided.

*Ayes 9, Noes 10.*

So the amendment was lost, and it was Ordered that the adjourned debate take place to-morrow.

Pursuant to the Order of the day, the Game Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.



The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill had gone through slight emendations.

Ordered that the said Bill be read third time to-morrow.

Pursuant to the Order of the day, the Indian Graves Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that the Bill had been gone through with certain alterations made, and that he was instructed to ask leave to sit again immediately to re-consider the 2nd Clause.

Ordered that leave be granted.

The Council again went into Committee on the said Bill.

On the Presiding Member again resuming the Chair,

The Committee rose and the Chairman reported that the Bill was now complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in the Victoria Incorporation Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time forthwith.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for the Committal of the Postal Bill.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Interest Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Interest Ordinance, 1867."

On the Order of the day being read for the Committal of the Ferries and Bridges Bill,

Ordered that the Committal be postponed till to-morrow.

On the Order of the day being read for the third reading of the Barristers' Bill,

The Hon. the Attorney General moved the re-committal of the same.

Motion lost.

Ordered to be read third time at once.

Read third time accordingly.

And it was Resolved that this Bill do pass, and that its title be "The Legal Professions Ordinance, 1867."

The Hon. Mr. Robson moved that the Standing Orders be suspended to enable him to give a notice of motion.

Ordered accordingly.

The Standing Orders having been suspended,

The Hon. Member gave notice of motion.

The Hon. Mr. Helmcken moved the adjournment till 3 o'clock to-morrow.

The Hon. Mr. Young in amendment till 1 o'clock to-morrow.

The Hon. Mr. Southgate in amendment till 2 o'clock to-morrow.

The last amendment having been put and carried,

The Council adjourned accordingly till 2 o'clock, p.m. to-morrow.

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### Wednesday, the 20th day of February, 1867.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Hamley, Trutch, Young, Brew, Ball, O'Reilly, Sanders, Cox, Southgate, Pemberton, DeCosmos, Macdonald, Helmcken, Walkem, Stamp, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Robson presented a Petition, which was afterwards withdrawn.

The Hon. Mr. Helmcken gave notice of motion.

On the Order of the day being read for the motion of the Hon. Mr. Pemberton, in reference to taking precautions for the proper preservation of the Dredger,

The Hon. Member asked leave to withdraw the motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Inventions Bill was read the second time.

Ordered to be Committed on the 27th instant.

On the Order of the day being read for the Hon. Mr. Walkem to ask leave to bring in Legal Professions Bill,

The Hon. Member asked leave to postpone the motion.

Ordered that leave be granted.

Motion postponed to this day fortnight accordingly.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Intestate Estate Sale Bill.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Game Bill was read the third time, and it was Resolved that this Bill do pass and that its title be "The Game Ordinance, 1867."

Pursuant to the Order of the day, the Indian Graves Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Indian Graves Ordinance, 1867."

Pursuant to the Order of the day, the Council went into Committee of the whole on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill to have been considerably altered, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. Robson then moved the adjournment.

On the question being put the Council divided.

*Ayes 9, Noes 10.*

So the motion for adjournment was lost.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Ferries and Bridges Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with certain amendments.

Ordered that the same be read third time to-morrow.

The Hon. Mr. Trutch moved the adjournment till 2 o'clock to-morrow.

The Hon. Mr. Robson, in amendment, till 3 to-morrow.

On the amendment being put, the Council divided.

*Ayes 9, Noes 8.*

So it was Resolved in the affirmative, and the Council adjourned accordingly till 3 o'clock to-morrow.

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### Thursday, the 21st day of February, 1867.

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The Council met at 3 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, O'Reilly, Hamley, Brew, Sanders, Ball, Cox, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Pemberton gave notice of 2 motions.

On the Order of the day being read for Committee of Supply,

Ordered that the third reading of the Intestate Estate Sales Bill and the Ferries Bill do stand first on the Order of the day.

The Intestate Estates Sales Bill was accordingly read the third time, and it was Resolved that this Bill do pass and that its title be the "Intestate Estate Ordinance, 1867."

On the Order of the day being read for the third reading of the Ferries Bill, the Hon. Mr. Walkem moved for the re-committal of the same.

Motion lost.

The Bill was then read for third time, and it was Resolved that this Bill do pass, and its title be "The Ferries Ordinance, 1867."

The Council then went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Resolved that this Council recommend that the following supplies be voted for the several Establishments named

Governor	\$2535
Legislative Council	1200
Colonial Secretary	9860 <sup>8</sup>

Ordered that leave be granted to the Committee to sit again to-morrow.

The Hon. Mr. Pemberton moved the adjournment till 1 to-morrow.

The Hon. Mr. Crease, in amendment, till 2 to-morrow.

The amendment having been put and lost after a division,

*Ayes 9, Noes 10.*

The Council adjourned till 1 o'clock, p.m., to-morrow.

### Friday, the 22nd day of February, 1867.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Hamley, Brew, O'Reilly, Sanders, Cox, Ball, Pemberton, Southgate, Robson, Stamp, DeCosmos, Smith, Helmcken, Macdonald, Walkem, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

On the Order of the day being read for the second reading of the Trades Licence Bill,

Ordered that the second reading thereof be deferred till this day week.

<sup>8</sup> This resolution from the original minute book was omitted from the published journals in 1867.



On the Order of the day being read for the second reading of the Victoria Incorporation Bill,

Ordered that the same be postponed till to-morrow.

Pursuant to Order of the day, the Hon. Mr. Robson asked leave to bring in Mechanics' Lien Law Bill.

Ordered that leave be granted and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time this day fortnight.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, and it was Resolved,

That a Select Committee be appointed to revise the Tariff.

The Presiding Member appointed the following Hon. gentlemen accordingly:

The Hon. the Collector of Customs, the Hon. Messrs. Ball, Helmcken, Southgate, Robson, DeCosmos, Smith.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved, the Hon. Mr. Southgate seconding, and it was Resolved,

That an address be presented to His Excellency the Governor, asking for a Return of the amount of Fines and Seizures in the Customs Department, from 1860 to 1866 inclusive, and how appropriated.

Pursuant to the Order of the day, the Hon. Mr. Pemberton asked for an explanation of the following apparent discrepancy in the Return of the 11th instant, *re* Assay Department:

Total Expenditure for 1865. ....	£1001	2	4
Do., Do., in published comparative statement of 1865, .....	2152	11	2

The Hon. the Colonial Secretary explained that it was owing to the expenditure of past years in England on account of Assay Department having been brought to account in 1865.

Pursuant to the Order of the day, the Council again went into Committee of Supply.

The Presiding Member left the Chair

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that some progress had been made, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. Brew moved the adjournment till 1 o'clock on Monday.

The Hon. Mr. Pemberton, in amendment, till 11 o'clock, to-morrow.

On the amendment being put and carried, the Council adjourned accordingly till 11 o'clock to-morrow, the 23rd instant.



**Saturday, the 23rd day of February, 1867.**

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The Council met at 11 o'clock, a. m., pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Trutch, Young, Crease, Hamley, Brew, Ball, O'Reilly, Sanders, Cox, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Macdonald, Walkem, Robson, Barnard, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Young gave notice of motion.

Pursuant to the Order of the day, the Victoria Incorporation Bill was read second time.

Ordered to be committed on Tuesday next.

Pursuant to the Order of the day, the Council went into Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported further progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

On the motion of the Hon. Mr. Walkem,

The Standing Orders were suspended in order to allow him to place a notice of motion on the Order Book.

The Standing Orders having been suspended.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 3 o'clock on Monday, the 25th instant.

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**Monday, the 25th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

The Hon. Mr. Brew then introduced a new Member of Council, William Hales Franklyn, Esquire, to whom the Hon. Presiding Member administered the customary oath of allegiance and office.

The Hon. Mr. Franklyn then took his seat at the Council.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Hamley, Brew, Young, Wood, O'Reilly, Sanders, Cox, Ball, Pemberton, DeCosmos, Helmcken, Macdonald, Walkem, Barnard, Robson, Smith, Southgate, Stamp, Franklyn.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Barnard gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Young moved, the Hon. Mr. Robson seconding, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that he will cause to be furnished to this Council, a copy of an address of the House of Assembly of Vancouver Island, passed about March, 1859, asking for the Establishment of a Mint in Vancouver Island, together with a copy of the reply thereto.

Pursuant to the Order of the day, the Hon. Mr. Walkem moved, the Hon. Mr. Southgate seconded, and it was Resolved,

That His Excellency the Governor be respectfully asked to cause a Return to be made to the Council at its next sitting, shewing the amount of moneys now at the credit of each Estate under the Trustees' Relief Ordinance and Intestate Estate Ordinance.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Young seconding,

That a respectful address be presented to His Excellency the Governor, asking for a Return shewing the earnings of the Steamer Sir James Douglas, during the year 1866.

The Hon. Mr. Walkem moved That the word "Expenditure" be added after "Receipts."

On the question as amended being put, it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Council went into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Chairman reported that he was instructed to request the Presiding Member's decision on a point of order, and to ask leave to sit again immediately.

The point of order having been decided,

Ordered that leave be granted to the Committee to sit again immediately.

The Council again went into Committee of Supply.

On the Presiding Member again resuming the Chair,

The Chairman reported considerable progress made, and asked leave to sit again.

Ordered that leave be granted for Thursday next.

The Hon. Mr. Young moved that the Standing Orders be suspended to enable him to give a notice of motion.

Ordered accordingly.

The Standing Orders having been suspended,

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m., to-morrow.

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**Tuesday, the 26th day of February, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Young, Ball, Sanders, Southgate, DeCosmos, Robson, Barnard, Franklyn, Smith.

The Minutes of the previous Meeting were read over and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Young moved, the Hon. Mr. Robson seconding, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that a Return be laid before this Council, exhibiting the amount of Revenue received annually, since the passing of the Crown Officers' Salaries Act, 1863, which would, in the absence of that Act, have been brought to account as Crown Revenue, together with the annual expenditure under the said Act.

On the Order of the day being read for the second reading of the Homestead Bill,  
On the motion of the Hon. Mr. Robson,  
Ordered to be read second time this day week.

Pursuant to the Order of the day, the Hon. Mr. Robson asked leave to bring in a Medical Professions Bill.

Ordered that leave be granted.

The Hon. Member presented the said Bill accordingly.

Ordered that the Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time on Friday.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Victoria Incorporation Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the Hon. Mr. Barnard's motion respecting the establishment of a Bonded Warehouse at Yale,

The Hon. Member asked leave to postpone the motion.

Ordered that leave be granted.

Motion postponed till to-morrow.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock, p.m., to-morrow.

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Wednesday, the 27th day of February, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Brew, Franklyn, Young, Wood, Ball, Cox, Southgate, DeCosmos, Macdonald, Robson, Smith, Barnard.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 10.*

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council, passed on the 26th instant, the Governor forwards a Return shewing the amount of the Crown Revenue of the Mainland portion of the Colony of British Columbia for the last three years, and the Salaries paid under Crown Salaries Act for the same period.<sup>9</sup>

*Government House,  
27th February, 1867.*

Ordered to be printed for the use of the Members.

A further Message from His Excellency, read as follows:

*Message No. 11.*

FREDERICK SEYMOUR.

In fulfilment of a pledge given by the Governor, in the Address with which he had the honor to open the present Legislative Session, he now lays before the Council his views on the subject of Education at the public expense.

He has to refer to two different sections of the Colony, in which the question has been treated in different ways. In Vancouver Island the attempt has been made to make the education of the youth in the Colony a burden on the community. The Governor lays before the Council statements of the present condition of the relations existing between the Government and the Public Schools of the Island,<sup>10</sup> and leaves the question as to indebtedness on the one side, or unreasonable expectations on the other, to be freely dealt with by the Council—one from which the Governor stands aloof. He will merely state that in the opinion of his Predecessor the system was not successful, and that other objects besides the intellectual advancement of the children of the Colony were sometimes allowed entrance into the consideration of the Board of Education.

On the Mainland the Governor has been compelled to acknowledge that the population is yet too small and scattered for any regular system of Education to be established. Where parents have been willing to pay towards the instruction of their children, he has, with the consent of the Legislative Council, assisted them from the public funds. The Schools have not been under the direction of the Government, and pupils have been led or sent from those that asked assistance from the public to those enjoying the dignity of independence, or back again as the parents might elect.

The Governor is of the opinion that the Colony is not yet old enough for any regular system of Education to be established; nor would he wish, under the present constitution, to press his own views upon the Legislature, though he has no desire to conceal them. He thinks that any man who respects himself would not desire to have his children instructed without some pecuniary sacrifice on his own part. The State may aid the parent, but ought not to relieve him of his own natural responsibility, else it may happen that the promising mechanic may be marred, and the country overburdened with half-educated professional politicians or needy hangers-on of the Government.

<sup>9</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1867, p. x.

<sup>10</sup> *Ibid.*, p. xi.



As the Governor is aware that there is no subject upon which more words have been wasted than that of gratuitous instruction and the duty of the governing authority towards the people in the matter, he will at once proceed to consider the relations in which the Government may properly stand towards the parents. In his opinion, all that the State can do is to enable the children to overcome the almost mechanical difficulties which seem to bar their passage over the threshold of knowledge, and having effected this to leave to parental affection and knowledge of individual character the choice of the arms with which the child shall, at a future period, fight the battle of life. It is vain for the State to attempt to drive on in an even line the idle and the industrious—the boy of ready aptitudes and him whose brain becomes pained and confused in endeavouring to master the simplest problem. The Governor conceives it to be the duty of the governing power to assist in the giving to all elementary instruction, and then to offer inducements to those who are able to come to the front in the intellectual struggle with their fellow men.

But he will not, while addressing the Council, conceal any portion of his thoughts. He believes that the community in which he resides is one where complete toleration in religious opinion exists. It is not therefore, under these circumstances, for the State and its Salaried Officers to interfere with the belief of any one. The Government has not undertaken to prove to the Jew that the Messiah has indeed arrived; to rob the Roman Catholic Church of her belief in the merciful intercession of the Blessed Virgin; to give special support to the Church of England; to mitigate the acidity of the Calvinistic doctrines of some Protestant believers, or to determine, authoritatively, the number of the Sacraments. Therefore, the Governor is of opinion that when the time comes for the establishment of a large Common School, religious teaching ought not to be allowed to intrude. It is vain to say that there are certain elementary matters in which all Christians, leaving out the Jews, must agree. It is merely calling upon a man picked up at random, allured by a trifling salary, to do what the whole religious wisdom, feeling, and affection of the world has not yet done. The paring down of all excrescences which a man on a hundred and fifty pounds a year may think disfigure the several religions, and the reducing them to a common standard, becomes a sort of Methodism which may locally be named after the Schoolmaster who performs it.

In a Colony with which the Governor was recently connected he left the following School system. There was a public School open to all denominations, where the Schoolmaster did not presume to open to the children any sacred mysteries. The charge upon the children attending regularly was half a dollar a month. But there were Denominational Schools, also, to which the Government contributed, but in a moderate degree. It was found that these Denominational Schools, though more expensive to the parents, absorbed the greater number of children. Such is the system he would desire to see in any concentrated community.

*Government House,  
27th February, 1867.*

Ordered to be printed for the use of the Members.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Smith gave notice of motion.

The Hon. the Attorney General, from the Select Committee appointed to revise the the Acts mentioned in Schedule B of the Assimilation of Laws Bill, brought in a further Report, viz: the Gold Fields Bill.

Ordered that the Report be adopted and that the Bill be read first time at once.

Bill read first time accordingly.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, the Council went into adjourned Committee on Victoria Incorporation Bill.



The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended in order to enable him to place a motion on the Order Book.

Ordered accordingly.

The Standing Orders having been suspended,

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Smith, the Council adjourned till to-morrow the 28th instant, at 3 o'clock.

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### Thursday, the 28th day of February, 1867.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Franklyn, Brew, O'Reilly, Ball, Southgate, DeCosmos, Macdonald, Robson, Smith, Barnard, Hamley.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 12.*

FREDERICK SEYMOUR.

In compliance with the request of the Legislative Council, the Governor lays before the House a copy of the address of the House of Assembly of Vancouver Island, asking for the Establishment of a Mint.<sup>11</sup>

*Government House,*

*28th February, 1867.*

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Southgate seconded, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that a Bill may be introduced to establish a Standard of Weights and Measures, and to regulate Weights and Measures throughout the Colony.

Pursuant to the Order of the day, the Council went again into a Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that he was instructed to ask that a Select Committee on Internal Postage be appointed, and asked leave to sit again.

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<sup>11</sup> *Ibid.*, p. xii.

Ordered that leave be granted to sit again, and that a Select Committee be appointed by the Presiding Member to enquire into the matter of Internal Postage.

The following Hon. gentlemen were appointed accordingly: the Hon. Messrs. Trutch, Ball, Sanders, Cox, Robson, Helmcken, Smith.

On the Order of the day being read for the Hon. Mr. Barnard's motion respecting the establishment of a Bonded Warehouse at Yale,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Council went into adjourned Committee on the Victoria Incorporation Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported further progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Inventions Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill gone through with certain amendments.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till to-morrow the 1st March, at 3 o'clock, p.m.

### Friday, the 1st day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Brew, O'Reilly, Sanders, Franklyn, Cox, Stamp, Southgate, Robson, DeCosmos, Smith, Walkem, Helmcken, Macdonald.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 13.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a letter which has been addressed to him by the Chamber of Commerce of New Westminster, in the Commercial interests of the Colony.<sup>12</sup>

*Government House,  
1st March, 1867.*

<sup>12</sup> *Ibid.*, pp. xii-xiii.

Ordered that the same be printed for the use of Members, and that it be referred to the Select Committee for amending the Tariff.

On the Order of the day being read for the second reading of the Trades Licence Bill,

Ordered that the same be postponed till Tuesday.

Pursuant to the Order of the day the Medical Professions Bill was read second time.

Ordered to be committed on Thursday next.

Pursuant to Order of the day, the Hon. Mr. Smith moved, the Hon. Mr. Ball seconding, and it was Resolved,

That His Excellency the Governor be empowered to offer a premium of not more than Five Thousand dollars to any party who will erect the first Steam Quartz Crushing Mill in the Columbia-Kootenay District, capable of crushing 24 tons of Quartz in 24 hours; and if a less powerful Mill, the premium to be proportionately less.

On the Order of the day being read for the second reading of the Gold Fields Bill,

The Hon. Mr. Young moved that a Select Committee be appointed to frame a Bill for the Regulation of the Gold Fields.

Ordered accordingly.

The Hon. the Presiding Member appointed the following Hon. Members to form the said Committee:—the Hon. Messrs. O'Reilly, Ball, Sanders, Cox, Walkem.

The Hon. Mr. O'Reilly, Chairman of the said Committee, then handed in a Report, viz: the Gold Fields Regulation Bill.

Ordered to be read second time on Thursday next.

Pursuant to the Order of the day, the Inventions Bill was read the third time, and it was Resolved that this Bill do pass and that its title be "The Patents Ordinance, 1867."

Pursuant to the Order of the day, the Council went into adjourned Committee on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Ordered that leave be granted for Monday, and

Resolved, That that portion of the Bill relating to the rates of Postage be referred to the Select Committee now sitting on Postal matters.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 p.m. on Monday the 4th, instant.

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### Monday, the 4th day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Ball, Franklyn, Walkem, Southgate, DeCosmos, Helmcken, Macdonald, Stamp, Barnard, Robson, Smith.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 14.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to prohibit the unseasonable destruction of Game."

*Government House,  
4th March, 1867.*

The Hon. Mr. Helmcken presented a Petition from certain Merchants in Victoria, having reference to the Customs Tariff on Dry Goods.

Ordered that the same be received and do lie on the Table.

The Hon. Mr. DeCosmos presented the Petition of Patrick Everett.

Ordered that the same be received and do lie on the table.

The Hon. Mr. Stamp gave notice of motion.

The Hon. Mr. Hamley, from the Select Committee appointed to revise the Tariff, brought up a Report.<sup>13</sup>

Ordered that the same be received and printed for the use of Members.

Pursuant to the Order of the day, the Council again went into Committee of the whole on the Victoria Incorporation Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, and asked leave to sit again.

Ordered that leave be granted, and

Resolved, That the Bill as amended be re-printed, and then referred to a Select Committee, consisting of the Hon. the Attorney General, Hon. Solicitor General, Hon. Messrs. Young, Macdonald, Helmcken, DeCosmos, for re-consideration.

The Hon. Mr. Trutch, from the Select Committee appointed to inquire into Postal matters, brought up a Report.

Ordered that the same be received and lie on the table.

The Hon. Mr. Robson moved the adjournment till 3 o'clock to-morrow.

The Hon. Mr. Helmcken, in amendment, till 2 o'clock to-morrow.

On the amendment being put it was carried, and the Council accordingly adjourned till 2 o'clock, p.m., to-morrow, the 5th instant.

<sup>13</sup> *Ibid.*, pp. xiii–xiv.



**Tuesday, the 5th day of March, 1867.**

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Young, Ball, Sanders, Franklyn, Cox, Stamp, Southgate, DeCosmos, Helmcken, Robson, Barnard, Macdonald, Walkem, Smith, O'Reilly, Hamley.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 15.*

FREDERICK SEYMOUR.

The Governor, impressed with the expediency of making as far as possible each Enactment complete in itself, is of opinion that he ought not to assent, in Her Majesty's name, to the Bill submitted to him entitled "An Ordinance to promote conciseness in the drafting of Legislative Enactments."

The proposed Enactment appears to him to be in other respects free from objection.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 16.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills entitled respectively:

An Ordinance to assimilate the Law relating to Sheriffs,

An Ordinance to prevent the violation of Indian Graves,

An Ordinance authorizing the sale of the Real and Personal Estate of Intestates.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 17.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council, that the following amendments be made in the Bill entitled An Ordinance to declare the Law relating to Interest:

That the third Section be struck out, and that the fourth be numbered III.

*Government House,  
5th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 18.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to assimilate the general application of English Law:

That the third Section be struck out, and that the fourth be numbered III.

*Government House,  
5th March, 1867.*

On the motion of the Hon. the Attorney General, the Council went into a Committee of the whole to consider the amendments proposed by His Excellency to the Interest Bill, and to the English Law Bill.

The Presiding Member left the Chair.



The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the following Resolutions:

Resolved, that His Excellency the Governor be acquainted that the Council have agreed to the amendment made by His Excellency to the Bill entitled an Ordinance to Declare the Law relating to Interest.

Resolved, that His Excellency the Governor be acquainted that the Council have agreed to the amendment made by His Excellency to the Bill entitled an Ordinance to assimilate the general application of English Law.

The Resolutions having been put were carried unanimously.

The Hon. Mr. Walkem gave notice of motion.

On the Order of the day being read for the motion of the Hon. Mr. DeCosmos, in reference to confederation,

The Hon. Member asked leave to postpone the same till Friday next.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Stamp seconding, the following Resolution:

That a respectful address be presented to His Excellency recommending that Flour manufactured from grain grown in the Colony should be allowed to pass over the Public Roads Free of Toll.

On the question being put the Council divided.

*Ayes 10, Noes 9.*

So it passed in the affirmative, and it was Resolved accordingly.

On the Order of the day being read for the motion of the Hon. Mr. Stamp,

The Hon. Member asked leave to postpone the same till to-morrow.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Macdonald moved, the Hon. Mr. DeCosmos seconding, the following Resolution:

That in the opinion of the Council the Common School System at present in force in Vancouver Island is a great boon to a large number of the Inhabitants, and ought to be maintained especially in such parts of the Colony in which the population may be concentrated.

The Hon. Mr. Robson moved in amendment, the Hon. Mr. Young seconding,

That the Resolution be referred to a Select Committee, in order that the whole subject of Education may be more fully discussed,

Whereupon a debate arose, which having been prolonged for a considerable time,

On the motion of the Hon. Mr. Trutch,

The debate was adjourned till Friday.

Pursuant to the Order of the day, the Council went again into adjourned Committee of Supply.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the discussion of the Estimates to have terminated, and handed in the following Resolutions which were severally put and carried as follows:

Resolved, That the Council recommend that the sum of Seven hundred and one thousand five hundred and ten dollars and eighty cents be voted for the service of the year, 1867.

Resolved, That the head office of the Postal Department be established at Victoria.

Resolved, That in the opinion of this Council the Supreme Court of Civil Justice should not be removed from Vancouver Island, and that a Court of Appeal should be established by the appointment of another Judge.

Resolved, That the Governor be requested to consider the advisability of removing prisoners to Victoria, strictly in view of economy.

Resolved, That this Council is of opinion that however useful the Assay Department may be to the Colony at large, yet in the present state of the Colonial Exchequer it must be dispensed with unless it can be made self-supporting.

The Council holding this opinion, have nevertheless voted the sum of money placed upon the Estimates for the Department, but solely with the object of enabling His Excellency the Governor to make it self-supporting, either by removal in part or altogether to some other place in the Colony, or by arrangement with the Banks. If however it be found that it cannot be made self-supporting, that His Excellency take steps at once to abolish the Department, so that no further sum of money be asked at any future time either by way of compensation or otherwise.

Resolved, that the Governor be respectfully requested to increase the salary of the Constable at Quesnel by \$200.

Resolved, That the Council recommends that another Constable should be sent to the Columbia District, and that the salary of the Chief Constable be increased so as to become equal to the same appointment in Cariboo.

Resolved, That in the opinion of this Council the sum set down in the Estimates for Hospitals is inadequate, and His Excellency the Governor is hereby empowered to increase it to a sum not exceeding Eleven thousand dollars.

Resolved, That His Excellency the Governor be respectfully requested to take such steps as may by him be deemed advisable to effect a reduction in the salaries provided under the Crown Salaries Acts, as in the opinion of this Council the present depressed state of the finances of the Colony calls for the strictest economy compatible with the efficiency of the public service, and the Council therefore respectfully beg to recommend the following sums instead of those already provided by law for the following offices:

His Excellency the Governor .....	from \$19,400	to \$14,550
The Colonial Secretary .....	3,880	3,000
The Treasurer .....	3,637	nil.
The Chief Commissioner of Lands and Works..	3,880	3,000
The Collector of Customs .....	3,152	3,000
	<u>\$33,949</u>	<u>\$23,550</u>

Being a reduction of ..... 10,399  
in the annual expenditure.

And the Council further respectfully recommends that a change be immediately made in the Registrar General's office, so as to dispose of one of the Registrars General.

Resolved, That the Council recommend that the arrears for Education for August, 1866, to March, 1867, in Vancouver Island be paid.

Resolved, That the Report<sup>14</sup> and other papers of the Select Committee on the Postal Service be referred to the Executive, and that \$25,000 be recommended for Internal Postal Service for twelve months, which limit of term is considered for the present advisable.

Resolved, That the Council recommend that a sum of \$3,000 be put on the Estimates for conveyance of Mails to the Big Bend and Kootenay.

Resolved, That a sum not exceeding \$500 a month, be placed at the disposal of the Government for Mail Service with San Francisco by Steamer.

On the Order of the day being read for Committee of Ways and Means,

Ordered that the same do stand first on the Order of the day for to-morrow.

The Hon. Mr. Wood moved, the Hon. Mr. Crease seconded, and it was Resolved, That the Report of the Select Committee on the Tariff be referred to the Governor.

The Hon. Mr. Helmcken moved the adjournment till 1 o'clock to-morrow.

The Hon. Mr. Trutch in amendment till 3 o'clock to-morrow.

On the amendment being put it was carried, and the Council accordingly adjourned till 3 o'clock, p.m., to-morrow.

### Wednesday, the 6th day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Ball, Sanders, Franklyn, Cox, Stamp, Southgate, Robson, DeCosmos, Smith, Walkem, Helmcken, Macdonald, Hamley, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 19.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to assimilate and amend the Law prohibiting the sale or gift of Intoxicating Liquor to Indians:

That after Section X. the following clauses be added:

XI. No ship, boat, canoe, or other vessel, shall be allowed to clear from any Port in the said Colony without a clearance paper or permit, which may be in the form in the Schedule hereto marked 1, wherein the quantities and qualities of the fermented, spirituous, or intoxicating liquor on board shall be noted, together with the destination or purpose for which such fermented, spirituous, or intoxicating liquors shall be intended, and every Officer of Customs of the said Colony is hereby required to give such clearance paper or permit, and the Master of every outgoing

<sup>14</sup> *Ibid.*, p. xviii.

ship, boat, canoe, or other vessel leaving any Port or place in the said Colony, may be required by any Officer of Customs at any Port in the said Colony to give to such Officer of Customs a Shipping Bill which may be in the form marked 2 in the said Schedule, and which shall contain the particulars indicated therein or required thereby, and sign a declaration at the foot of such Shipping Bill, certifying to the truth of such particulars, which said declaration may be in the form in the said Form 2 above specified, and may further be required to give to such Officer of Customs a bond, note, or security, with one sufficient surety, in the sum of not more than \$1,000, that the fermented, spirituous, or intoxicating liquors mentioned in such Shipping Bill shall be duly landed at their destination respectively, or consumed on board, or otherwise duly accounted for to the satisfaction of the Governor of the Colony.

XII. Every Master of any ship, boat, or canoe making any false Declaration of any matter required by this Ordinance to be declared, shall be guilty of a Misdemeanor, and on conviction, shall be liable to the punishment incurred on the commission of Perjury.

That the present XI Section be numbered XIII, the present Section XII to be XIV, and the present XIII Section be struck out.

The Governor further recommends that the following Schedule be appended to the Bill.

*Government House,  
6th March, 1867.*

#### SCHEDULE.

##### FORM 1.

Name and description of Ship, Boat, Canoe, or other Vessel.	Whether British or Foreign, if Foreign, the Country.	Master's Name	Destination of Liquors. If for Ships use, state so.	No.	Description of Liquor.

The fermented, spirituous, or intoxicating liquors above described, are hereby permitted to be carried and borne to the destination and for the purposes above specified.

(Signed.)

Name and description of Officer.  
(Station of Clearance)

Dated this            day of            186 .

##### FORM 2.

#### SHIPPING BILL FOR FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of Ship, Boat, Canoe, or other Vessel.	Whether British or Foreign, if Foreign, the Country.	Master's Name	Port or place of destination. If for Ships use, state so.	No.	Description of Liquor.

I declare the entries in this Bill to be correctly made.

Signed,

Master of the above Ship.

(Station of Clearance)

(Countersigned).

Dated this            day of            186 .

A further Message from His Excellency, read as follows:

*Message No. 20.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled An Ordinance for the regulation of Ferries and Bridges.

*Government House,  
6th March, 1867.*



A further Message from His Excellency, read as follows:

*Message No. 21.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills, respectively:

An Ordinance to declare the Law relating to Interest;

An Ordinance to assimilate the general application of English Law.

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 22.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Petition addressed to him in Council by certain Merchants and others, residents in Cariboo, praying for an alteration of the Law affecting Debtor and Creditor.<sup>15</sup>

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 23.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 22nd ultimo., the Governor forwards a Return of the amount of Fines and Seizures in the Customs Department, from 1860 to 1866, inclusive, stating how appropriated.<sup>16</sup>

*Government House,  
6th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 24.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council, that the following amendments be made in the Bill entitled, An Ordinance to provide for the rights of Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island;

In lieu of the words in the title of the Ordinance "to provide for the rights of" the insertion of the words "making provision for."

Also in line 1 of the first and second recitals, substitute the words "to make provision for" in lieu of the words "that the rights of."

He would further wish that the words "should be declared" and "should likewise be declared" be struck out.

As an additional amendment, the Governor recommends that in line 5 of the I. and II. Clauses, the words "at the said date and not earlier" be substituted for the word "then."

*Government House,  
6th March, 1867.*

On the motion of the Hon. Mr. Walkem, the Council went into Committee of the whole to consider the amendments proposed by His Excellency to the above Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

<sup>15</sup> *Ibid.*, p. xiv.

<sup>16</sup> *Ibid.*, p. xv.



The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council, which being put was carried, and it was

Resolved, That His Excellency the Governor be acquainted that the Council have agreed to the amendments made by His Excellency to "An Ordinance to provide for the rights of Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island."

The Hon. Mr. Smith gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the second reading of the Homestead Bill,  
On the motion of the Hon. the Attorney General,  
Ordered that the second reading of the said Bill be postponed till to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in Legal Professions Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time to-morrow week.

Pursuant to the Order of the day, the Hon. Mr. Stamp moved, the Hon. Mr. Robson seconding, the following Resolution:

That an address be presented to His Excellency the Governor, recommending that all Provisions used at such Saw Mills in British Columbia as come into competition with establishments of the same kind in Puget Sound, be exempt from paying duty, viz:—Hay, Barley, Ground Barley, Flour, Rice, Beans, Butter, Lard, Sugar, Tea, Coffee, Molasses, Dried Apples, Salt Beef, Pork, and Bacon. Also that such Material as is necessary for the repairs and *bona fide* working of the same Saw Mills, such as Iron, Steel, Brass, Lead, Babbit Metal, Copper, Leather and India Rubber Belts, Fire Bricks, Lime, Blacksmith's Coal, Oil, Tallow, Saw Files, and Manufactured Machinery, be admitted duty free.

Whereupon a debate arose.

After which, on the motion of the Hon. Mr. Trutch,

Ordered that the consideration of the question be adjourned till Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Walkem moved, the Hon. Mr. Macdonald seconded, and it was Resolved,

That a respectful address be presented to the Governor acquainting His Excellency, that this Council is of opinion that the present Admiralty Practice is too tedious and expensive for this Colony, and it is therefore moved that His Excellency the Governor be requested to take such steps as will ensure the adoption of the Admiralty Practice followed in England, as suggested during the last Session of this Council, and the Fees now taken by a Judge in Admiralty be paid into the Treasury for the use of Her Majesty.

Pursuant to the Order of the day, the Council went again into Committee on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Sanders in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 p.m. to-morrow.

### **Thursday, the 7th day of March, 1867.**

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Ball, Franklyn, Walkem, Southgate, DeCosmos, Helmcken, Macdonald, Stamp, Barnard, Robson, Smith, Sanders.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Walkem gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 25.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled "An Ordinance making provision for Barristers-at-Law, Attorneys, Notaries Public, and Articled Clerks of the late Colony of Vancouver Island."

*Government House,  
7th March, 1867.*

The Hon. Mr. Helmcken moved the adjournment till 1 to-morrow.

The Hon. Mr. Robson, in amendment, till 3 to-morrow.

On the amendment being put the Council divided.

*Ayes 7, Noes 7.*

The Presiding Member giving his vote with the noes, the amendment was lost.

The Council then adjourned till 1 o'clock, p.m., to-morrow.

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### Friday, the 8th day of March, 1867.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Franklyn, Brew, Sanders, O'Reilly, Ball, Southgate, DeCosmos, Macdonald, Robson, Smith, Cox, Pemberton, Stamp, Helmcken, Hamley.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 26.*

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, passed on the 4th of February, the Governor forwards a Bill entitled An Ordinance to Establish a Standard of Weights and Measures.

The Governor leaves this as an entirely open measure to be dealt with by the Council.

*Government House,  
8th March, 1867.*

On the Order of the day being read for a motion by the Hon. Mr. Walkem.

Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Council went into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday.

On the Order of the day being read for the adjourned debate on the Resolution of the Hon. Mr. Macdonald, for continuing the Free School system in Vancouver Island,

The Hon. Mr. Helmcken moved, the Hon. Mr. Southgate seconding, the following Resolution:

That the present Common School system be continued on Vancouver Island until such time as another system of a more general character be adopted to meet the requirements of the whole Colony.

The Hon. Mr. Crease moved that the question be considered in Committee of the whole.

On the amendment being put it was lost.

On the Hon. Mr. Helmcken's motion being put the Council divided.

*Ayes 8, Noes 12,*

On a request being made to that effect, the names were taken down by the Clerk as follows:

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Wood,	Messrs. Birch,
Smith,	Ball,
DeCosmos,	Crease,
Helmcken,	Young,
Pemberton,	Trutch,
Stamp,	Cox,
Southgate,	Franklyn,
Macdonald.	Sanders,
	O'Reilly,
	Barnard,
	Robson,
	Hamley.

The previous amendment of the Hon. Mr. Robson was then put and carried, and it was

Resolved, That the original Resolution be referred to a Select Committee, in order that the whole subject of Education may be more fully discussed.

The Presiding Member appointed the following Hon. gentlemen to form the said Committee: Messrs. Crease, Young, Wood, Macdonald, Robson, DeCosmos, Barnard.

A further Message from His Excellency, read as follows:

*Message No. 27.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, a Bill entitled An Ordinance to appropriate Five hundred and sixty six thousand, six hundred and fifty-eight dollars, thirty cents, out of the General Revenue of the Colony, for the Contingent Service of the year 1867.

*Government House,  
8th March, 1867.*

Ordered that the said Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time to-morrow.

On the Order of the day being read for the second reading of the Lien Law Bill, The Hon. Mr. Robson asked leave to withdraw the same.

Ordered that leave be granted.

Bill withdrawn accordingly.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the Hon. Mr. DeCosmos' motion in reference to Confederation.

The Presiding Member left the Chair.



The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted for this day week.

The Hon. Mr. Robson moved the adjournment till 3 o'clock, on Monday.

The Hon. Mr. Helmcken moved in amendment, 1 o'clock to-morrow.

The amendment having been put and carried,

The Council adjourned accordingly till 1 o'clock, p.m. to-morrow.

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### **Saturday, the 9th day of March, 1867.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Trutch, Young, Crease, Hamley, Ball, Cox, Sanders, Franklyn, Pemberton, Stamp, Southgate, DeCosmos, Helmcken, Walkem, Robson, Barnard, Smith, Wood.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation Bill, brought in a further report, viz:

The Marriage Bill.

Ordered that the Report be adopted and that the Bill be read first time at once.

Bill read first time accordingly.

Second reading ordered for Monday next.

On the motion of the Hon. Mr. Young, the Council went into a Committee of the whole to consider the amendments proposed by His Excellency, in Message No. 19, to the Indian Liquor Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Tuesday.

On the Order of the day being read for the Hon. Mr. Walkem's motion for the papers connected with the grant to the Grouse Creek Bed-Rock Flume Company,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and handed in a Schedule which had been prepared for the Trades Licenses Bill with certain recommendations, and asked leave to sit again.

Ordered that the Report of the Committee be adopted, and that leave be granted to sit again on Tuesday.

Pursuant to the Order of the day, the Weights and Measures Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with amendments.

Ordered to be read third time on Monday.

Pursuant to the Order of the day, the Bill of Supply was read the second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete without amendments.

Ordered to be read third time on Monday next.

Pursuant to the Order of the day, the Trades Licenses Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Homestead Bill was read the second time.

Ordered to be committed on Monday next.

Pursuant to the order of the day, the Gold Fields Bill was read second time.

Ordered to be committed on Thursday next.

Then, on motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock, p.m., on Monday next.

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## Monday, the 11th day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Brew, Wood, Young, Sanders, Ball, Cox, Franklyn, Southgate, DeCosmos, Helmcken, Robson, Smith, Walkem, O'Reilly, Pemberton, Stamp, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Pemberton gave notice of 2 motions.

Pursuant to the Order of the day, the Weights and Measures Bill was read the third time, and it was Resolved that this Bill do now pass, and that its title be the "Weights and Measures Ordinance, 1867."

Pursuant to the Order of the day, the Bill of Supply was read the third time, and it was Resolved that this Bill do pass, and its title be An Ordinance to appropriate the sum of Five Hundred and Sixty-Six Thousand Six Hundred and Fifty-Eight Dollars and Thirty Cents out of the General Revenue of the Colony for the Contingent Service of the year 1867.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Trades Licenses Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with certain amendments.

The Hon. Mr. Helmcken moved that the Bill be recommitted.

On the question being put the Council divided.

*Ayes 9, Noes 11.*

On a request being made to that effect, the names were taken down by the Clerk as follows:

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Barnard,	Messrs. Ball,
Smith,	Wood,
DeCosmos,	Crease,
Helmcken,	Young,
Pemberton,	Trutch,
Stamp,	Franklyn,
Southgate,	Sanders,
Walkem,	O'Reilly,
Cox.	Brew,
	Robson,
	Hamley.

So the motion was lost.

Ordered that the said Bill be read third time to-morrow.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 28.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled An Ordinance to provide for the taking of Oaths and admission of Evidence in certain cases:

1. That the word "solemn" be inserted in the 13th line of the V. Section, or else expunged from the 1st line of the IX. Section.
2. That the X. Section be struck out as being inconsistent with the II. Section.
3. That the XI. Section be struck out.

*Government House,  
11th March, 1867.*

A further Message from His Excellency, read as follows;

*Message No. 29.*

FREDERICK SEYMOUR.

The Governor has carefully considered the Report of the Select Committee of the Legislative Council, which was forwarded to him on the 6th instant.

He now returns it with some small alterations, which he recommends to the favourable consideration of the Legislative Council.

*Government House,  
11th March, 1867.*

On the Order of the day being read for the Committal of the Homestead Bill,

Ordered that the said Bill be referred to the Select Committee for assimilating the Laws of the Colonies.

On the motion of the Hon. Mr. Young, the Council went into Committee of the whole to consider the alterations proposed by His Excellency, in Message No. 28, to the Oaths and Evidence Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Wednesday.

Pursuant to the Order of the day, the Council went again into Committee of the whole, on the Postal Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time on Wednesday.

On the Order of the day being read therefor, the Council went into Committee of the whole to consider the abolition of the Road Tolls.

The Presiding Member left the Chair.

The Hon. Mr. O'Reilly in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution for the adoption of the Council:



That the Council earnestly recommend His Excellency the Governor to abolish the Road Tolls in whole or in part during the present fiscal year, provided that the receipts of Revenue should warrant the Executive in making such reduction.

On the question being put it was carried in the affirmative and it was ordered accordingly.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till to-morrow the 12th instant, at 3 o'clock, p.m.

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### **Tuesday, the 12th day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, O'Reilly, Hamley, Brew, Wood, Sanders, Ball, Cox, Pemberton, Stamp, Southgate, Helmcken, Smith, Robson, Barnard, Franklyn.

The Minutes of the previous Meeting were read and confirmed.

On the Order of the day being read therefor, the adjourned debate on the Hon. Mr. Stamp's motion for remission of Custom Duties on articles used by certain Saw-mills was resumed.

After some discussion, on the motion of the Hon. Mr. Robson,  
Ordered that the debate be further adjourned for one week.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 30.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 26th February, the Governor forwards a Return of the Receipts and Expenditure of the Steamer "Sir James Douglas," in the year 1866.<sup>17</sup>

*Government House,  
12th March, 1867.*

Ordered that the same be printed.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved a Resolution in reference to the appropriation of Fines and Fees of Office.

After some discussion, the Hon. Member asked leave to withdraw the same.  
Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved, the Hon. Mr. DeCosmos seconding, the following Resolution:

That His Excellency be respectfully requested to furnish the Council with an approximate statement of the particulars of the Public Debt of Vancouver Island and the Mainland respectively at the time of Union.

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<sup>17</sup> *Ibid.*, p. xv.

On the question being put it was Resolved in the affirmative and Ordered accordingly.

Pursuant to the Order of the day, the Trades Licenses Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Licenses Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in a Schedule prepared for the Customs Tariff for adoption by the Council, and asked leave to sit again.

Ordered that the Report be adopted, and that leave be granted to the Committee to sit again on Friday.

The Hon. Mr. Barnard asked that the Standing Orders be suspended to enable him to place a motion on the Order Book.

Ordered accordingly.

The Hon. Member then gave notice of motion.

Then, on the motion of the Hon. Mr. Robson the Council adjourned till 3 o'clock, p.m. to-morrow.

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### **Wednesday, the 13th day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Ball, Sanders, Franklyn, Cox, Stamp, Southgate, Robson, DeCosmos, Smith, Barnard, Pemberton, Helmcken, Hamley, Brew.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Postal Bill was read the third time, and it was Resolved that this Bill do pass and that its title be the "Postal Ordinance, 1867."

Pursuant to the Order of the day, the Marriages Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the alterations proposed in His Excellency's Message, No. 28, to the Oaths and Evidence Bill.

The Presiding Member left the Chair.

The Hon. Mr. Cox in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, which was adopted:

Resolved, That the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency to the Bill entitled An Ordinance to provide for the taking of Oaths and admission of Evidence in certain cases.

On the Order of the day being read for the Committal of the Medical Bill,

Ordered that the same be referred to a Select Committee, consisting of the Hon. the Solicitor General, the Hon. Messrs. Young, Helmcken, Robson.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved, the Hon. Mr. Smith seconding, the following Resolution:

That in the opinion of this Council it is expedient that Hay, Barley, and Oats used as feed by Teamsters and Packers on the roads, be exempt from Road Tolls, and that His Excellency be respectfully requested to abolish the same.

On the question being put the Council divided.

*Ayes 8, Noes 10.*

So it passed in the negative.

On the Order of the day being read for the adjourned debate on the Hon. Mr. DeCosmos' motion, in reference to the proposed alterations to the Constitution of the Council,

On the motion of the Hon. Mr. DeCosmos,

Ordered that the same be postponed till after the discussion of the Confederation question.

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation of Laws Bill, brought in a further Report, viz : the Currency Bill and the Homestead Bill.

Ordered that the Report be adopted.

Ordered that the Currency Bill be now read first time.

Bill read the first time accordingly.

Ordered to be read second time on Friday next.

Ordered that the Homestead Bill be committed to-morrow.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 3 p.m., to-morrow.

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**Thursday, the 14th day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Franklyn, Walkem, Southgate, DeCosmos, Helmcken, Stamp, Pemberton, Robson, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Helmcken gave notice of 2 motions.

On the Order of the day being read for the third reading of the Marriage Bill,

Ordered that the same be recommitted.

The Council went again into Committee on the Bill.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill to have been amended by striking out a Clause.

On the question of the adoption of the Report of the Committee being put the Council divided.

*Ayes 11, Noes 6.*

So it was Resolved in the affirmative, and Ordered accordingly.

On the question of the third reading of the said Bill being put, the Hon. the Attorney General moved that the Bill be again recommitted.

On the amendment being put the Council divided.

*Ayes 7, Noes 10.*

So the amendment was lost.

Ordered that the said Bill be now read third time.

Bill read third time accordingly, and it was Resolved, that this Bill do pass and its title be the "Marriages Ordinance, 1867."

On the Order of the day being read for the second reading of the Legal Professions Bill,

Ordered that the second reading be deferred for two sittings of the Council.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding, and it was

Resolved, That the following Acts now in force in Vancouver Island be referred to the Assimilation Committee, with a view to their extension to the whole Colony, viz: "The Vancouver Island Jury Act, 1865," the "Limitation of Foreign Actions Act, 1860," and the "Extension of Limitation of Foreign Actions Act, 1861."

Pursuant to the Order of the day, the Council went into Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.



The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the Committee of Ways and Means,

Ordered that the same be taken as an Order of the day further on.

Pursuant to the Order of the day, the Council went again into Committee of the whole to consider the amendments proposed by His Excellency, in Message No. 19, to the Indian Liquor Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolutions which were adopted by the Council:

Resolved, That the Council having taken into their most careful consideration the amendments to the Indian Liquor Bill proposed by His Excellency the Governor, in his Message No. 19, of the 6th March, 1867, is of opinion that if the provisions contained in the Clause proposed by His Excellency as Clause XI were carried out in their entirety a serious injury to legitimate traffic might be inflicted, and the commerce of the Colony greatly injured; and as it is evident that the object of the proposed Clause is only to provide an additional impediment to the illicit sale of Spirits to the Indians, the Council would respectfully recommend to His Excellency that the annexed Clause, with the Schedule, should be added to the Bill as Clause XI. in place of the Clause and Schedule suggested by His Excellency:

XI. No ship, boat, canoe, or other vessel having fermented, spirituous, or intoxicating liquor on board, shall leave any port in the Colony of British Columbia for any part of the Coast of the said Colony, or for any port or place on the Coast of Russian America, or to the northward thereof, without the Master of such ship, boat, canoe, or other vessel, making a declaration in the form marked 1 in the Schedule to this Ordinance, setting forth the quantities, description, and destination of such liquor as aforesaid as may be on board, and obtaining from the Officer of Customs at the port of departure a Permit to carry such liquors, which Permit may be in the form marked 2 in the said Schedule; provided always that all vessels over one hundred tons register, and all steam vessels engaged in carrying passengers, shall be exempt from the operation of this Section of this Ordinance; and provided further that it shall be lawful for the Officer of Customs, at the port of departure, to exempt any vessel from the operation of this Section of this Ordinance, whenever the circumstances shall be such as, in the opinion of such Officer, to render such exemption expedient and desirable."

The Council would further recommend that as Section XIII. has, in accordance with his Excellency's suggestion, been struck out, new Clauses to provide for the proper interpretation of the Ordinance should be added to make the



Bill complete, and the Council has in consequence considered and passed the two Clauses also annexed, and marked XVI. and XVII.

XVI. In case of any summary conviction under this Ordinance, no warrant of commitment upon a conviction shall be held to be invalid by reason of any defect therein, if it be therein alleged that there be a good and valid conviction to sustain the same.

XVII. In the construction of this Ordinance, the word "Governor" shall be held to mean the Governor of this Colony, or other Officer administering the Government of this Colony for the time being; and whenever in this Ordinance in describing or referring to any person or party, matter or thing, any word importing the masculine gender or singular number is used, the same shall be understood to include and be applicable to several persons or parties as well as one person or party, and females as well as males, and bodies corporate as well as individuals, and several matters and things as well as one matter or thing, unless it otherwise be provided, or there be something in the subject or context repugnant to such construction.

#### SCHEDULE.

##### Form 1.

##### SHIPPING BILL FOR FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of ship, boat, canoe, or other vessel.	Whether British or Foreign, if Foreign the Country.	Master's Name	Port or place of destination.	Quantity and description of Liquors on board.	To whom consigned, or if for ship's use.

I declare the entries in this Bill to be correctly made.

Signed,

Master of the above Ship.

(Station of Clearance.)

Dated this            day of            186 .

##### Form 2.

##### PERMIT TO CARRY FERMENTED, SPIRITUOUS, OR INTOXICATING LIQUORS.

Name and description of ship, boat, canoe, or other vessel.	Whether British or Foreign, if Foreign the Country.	Master's Name	Port or place of destination.	Quantity and description of Liquor on board.	To whom consigned, or if for ship's use.

The Fermented, Spirituous, or intoxicating Liquors above described, are hereby permitted to be carried and borne to the destinations and for the purposes above specified.

Signed,

(Name and description of Officer.)

(Station of Clearance.)

Dated this            day of            186 .

Pursuant to the Order of the day, the Council went into Committee of the whole on the Homestead Bill.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete with some amendment.

Ordered to be read third time to-morrow.

On the motion of the Hon. the Attorney General, the Standing Orders were suspended to enable him to introduce the following Bills:

Customs Tariff Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Monday next;

Real Estate Repeal Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday next;

Harbour Dues Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 11 o'clock, a.m., to-morrow.

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### Friday, the 15th day of March, 1867.

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The Council met at 11 o'clock, a.m., pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Hamley, Brew, Cox, Ball, O'Reilly, Sanders, Franklyn, Pemberton, Southgate, DeCosmos, Stamp, Walkem, Helmcken, Robson, Barnard, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Crease gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported considerable progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for Monday.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 31.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bill entitled

An Ordinance for the taking of Oaths and admission of Evidence in certain cases.

*Government House,  
15th March, 1867.*

Pursuant to the Order of the day, the Homestead Bill was read the third time, and it was Resolved that this Bill do now pass, and that its title be the "Homestead Ordinance, 1867."

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Robson seconded, and it was

Resolved, That His Excellency the Governor be respectfully requested to cause to be prepared and introduced an Ordinance respecting Fences, with the following provisions:

To empower the Governor to establish Fence Districts in any part of the Colony on receiving a petition from two-thirds of the freeholders and pre-emptors of any proposed District, provided that the whole number of freeholders and pre-emptors of such District shall not be less than fifteen, such petition to define what a legal fence shall be for such District, but the definition of such legal fence shall be subject to amendment by the Governor in Council; Fence viewers to be appointed annually by the Governor, with power to settle disputes respecting fences; owners of lands that join each other in every such district or on the boundary line of such District to be liable respectively to make and keep in repair, at their own expense, their respective proportionate share of each boundary or party fence; no person in any such District to be entitled to compensation for loss of any cereals or vegetables by reason of their destruction by horses, cattle, hogs, or sheep belonging to some other person, if such person claiming compensation shall not have had his cereals and vegetables surrounded by such legal fence; other provisions necessary to make such Ordinance operative.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding, the following Resolution:

That in the opinion of this Council it is advisable that the Chief Custom House Department should be at Victoria, where the greatest amount of Revenue in the shape of Duties is received.

On the question being put the Council divided.

*Ayes 11, Noes 8.*

So it was Resolved in the affirmative.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Southgate seconding, and it was

Resolved, That in the opinion of this Council, Wheat of foreign growth should be admitted free of duty, if for the purpose of being ground into flour for exportation or for the use of Her Majesty's forces, and that His Excellency be respectfully requested to take such steps as may be deemed expedient and necessary for obtaining this object.

On the Order of the day being read for the Committee of Ways and Means,  
Ordered that the same do stand as an Order of the day for Monday.

Pursuant to the Order of the day, the Currency Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till Monday, at 11 o'clock, a.m.

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### Monday, the 18th day of March, 1867.

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Brew, Wood, Young, Sanders, Ball, Cox, Franklyn, Southgate, DeCosmos, Helmcken, Robson, Smith, Walkem, Pemberton, Macdonald.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Helmcken presented a Petition from G. Booth.

Ordered that the same be received.

The Hon. Mr. DeCosmos presented a Petition from certain Merchants of Victoria.

Ordered that the same be received.

The Hon. Mr. Robson presented a Petition from certain Solicitors in Victoria.

Ordered that the same be received.

The Hon. Mr. Helmcken gave notice of 2 motions.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Currency Bill.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Gold Fields Bill.

The Presiding Member left the Chair.

The Hon. Mr. Franklyn in the Chair of the Committee.

The Presiding Member resumed the Chair.



The Committee rose and the Chairman reported the Bill complete.  
Ordered to be read the third time to-morrow.

On the Order of the day being read for the adjourned Committee of Ways and Means,

Ordered that the same be postponed till to-morrow.

On the Order of the day being read for the second reading of the Customs Bill,  
The Hon. Mr. Helmcken moved, in amendment, that the same be read the second time to-morrow.

On the question being put the Council divided.

*Ayes 7, Noes 10.*

So the amendment was lost, and the Bill was read the second time.

The Hon. Mr. Ball moved that the said Bill be now committed.

On motion of the Hon. the Attorney General, the "Customs Declaratory Bill" was read second time.

Ordered to be Committed to-morrow.

The Hon. Mr. Helmcken moved, in amendment, that the Bill be committed to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 11.*

So the amendment was lost.

And the original question having being put and carried,

The Council went into Committee of the whole on the said Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported that no progress had been made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Harbour Dues Bill was read the second time.

The Hon. the Collector of Customs moved that the Bill be committed at once.

The Hon. Mr. Helmcken moved, in amendment, that the Bill be committed to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 11.*

So it passed in the negative, and it was Ordered that the Bill be committed at once.

The Council went into Committee of the whole accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Mortgages Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

On the Order of the day being read for the second reading of the Real Estate Tax Repeal Bill,

Ordered to be read second time on Thursday next.

Pursuant to the Order of the day, the Council went into Committee of the whole to consider the Hon. Mr. DeCosmos' motion in respect to taking steps to include British Columbia in the British North American Confederation.

The Presiding Member left the Chair.

The Hon. Mr. Brew in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman handed in the following Resolution, which having been put to the Council was carried unanimously, and it was

Resolved, That this Council is of opinion that at this juncture of affairs in British North America, East of the Rocky Mountains, it is very desirable that His Excellency be respectfully requested to take such steps, without delay, as may be deemed by him best adapted to insure the admission of British Columbia into the Confederation on fair and equitable terms, this Council being confident that in advising this step they are expressing the views of the Colonists generally.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till to-morrow the 19th instant, at 3 o'clock, p.m.

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## **Tuesday, the 19th day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, O'Reilly, Hamley, Brew, Wood, Sanders, Ball, Cox, Pemberton, Southgate, Helmcken, Smith, Robson, Franklyn, DeCosmos, Macdonald, Walkem.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 32.*

FREDERICK SEYMOUR.

The Governor, having had his attention recalled to the Report of the Committee of Supply of the Legislative Council respecting the Crown Salaries Act of 1863, hereby forwards a Bill entitled "An Ordinance to repeal a Proclamation, No. 12, of the year 1863, entitled 'Crown Officers' Salaries Act.'"

The Governor has directed all Public Officers to abstain from giving a vote upon the Measure, which he leaves an open one for the decision of the Honorable Members appointed on the recommendation of the people, and of those also who have no pecuniary connection with the Government.

*Government House,  
19th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 33.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the undermentioned Bills, respectively:

An Ordinance for the protection of Inventions;

An Ordinance to establish a standard of Weights and Measures;

An Ordinance to appropriate the sum of Five Hundred and Sixty-six Thousand, Six hundred and Fifty-eight Dollars and Thirty Cents, out of the General Revenue of the Colony, for the contingent service of the year 1867.

*Government House,  
19th March, 1867.*

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to certain words which fell from him in a discussion yesterday on the Customs Dues.

On the Order of the day being read for the adjourned consideration of the Hon. Mr. Stamp's motion in regard to certain Saw Mills,  
Ordered that the same be deferred till Friday.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked the following question of the Hon. the Colonial Secretary: Whether the Executive intends continuing the Collection of Customs Duties upon goods imported into Vancouver Island previous to the Union with British Columbia, and if so for how long a period, and under which Tariff?

The Hon. the Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Macdonald seconding, the following Resolution:

That this Council is prepared and would gladly receive the promised Message of His Excellency the Governor, upon the subject of the Seat of Government of British Columbia.

On the question being put the Council divided.

*Ayes 12, Noes 5.*

So it was Resolved in the affirmative and Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Walkem seconding,

That a respectful address be presented to His Excellency the Governor, asking for Returns shewing how the public money voted for Schools on Vancouver Island, during the past three years, has been expended.

The same having been put and carried it was Resolved accordingly.

Pursuant to the Order of the day, the Gold Fields Bill was read the third time, and it was Resolved that this Bill do pass and its title be "The Gold Mining Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into adjourned Committee on the Customs Tariff Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported progress, and asked leave to sit again, presently.

Ordered that leave be granted.

On the motion of the Hon. Mr. Helmcken, the Council went into Committee of the whole on the Customs Application Bill.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

The Presiding Member resumed the Chair.

The Committee rose and the Chairman reported the Bill complete.

Ordered to be read third time at once.

Bill read third time, the Standing Orders having been suspended for that purpose,

And it was Resolved that this Bill do pass, and that its title be the "Customs Declaratory Ordinance, 1867."

According to Order, the Council went again into Committee on the Customs Tariff Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time at once.

Bill read third time accordingly, the Standing Orders having been suspended for that purpose,

And it was Resolved that this Bill do pass and its title be the "Customs Ordinance, 1867."

On the motion of the Hon. the Attorney General, the Standing Orders were suspended in order to enable the Hon. Member to place a notice of motion on the Order Book.

Notice of motion given accordingly.

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that the Report be adopted, and that leave be granted to sit again to-morrow.

The Hon. the Attorney General, from the Select Committee appointed to revise the Acts mentioned in Schedule B of the Assimilation of Laws Bill, brought in a further Report, which was read as follows:

The Committee of Assimilation beg to report that they have had under consideration the "Vancouver Island Jury Act, 1865," but they find considerable difficulty in dealing with this Act without dealing with the subject of Juries generally. The Jury Law of British Columbia is materially different from that of Vancouver Island. In British Columbia the old law of England prevails, except as limited by the "British Columbia Jurors' Act, 1860." In Vancouver



Island eight jurors are by the rules of the Supreme Court a full jury, and the verdict of a jury need not be unanimous in civil cases.

The subject requires fuller consideration than your Committee are able at the end of the Session to give it, as it forms part of the procedure of the Supreme Court and the general administration of Justice.

They have further considered the Vancouver Island Acts for the Limitation of Foreign Actions and Suits, and have prepared a Bill to carry out their provisions in all parts of the Colony, but as such a Bill is precisely similar in effect to "The Limitation of Foreign Actions Ordinance, 1867," which has been disallowed, and is in violation of the views entertained by the best jurists of England and America, we conceive that the only way of dealing with the subject in order to assimilate the law, would be a simple enactment repealing the existing Acts of Vancouver Island on the subject.

Ordered that the Report be received, and do lie on the table.

The Hon. the Chief Commissioner of Lands and Works, from the Select Committee appointed to draw up a Land Bill, brought in a Report.

Ordered that the same be received, printed, and considered on Thursday next.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock p.m., to-morrow.

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### **Wednesday, the 20th day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Ball, Crease, Trutch, Wood, O'Reilly, Hamley, Sanders, Franklyn, Cox, Brew, Pemberton, Southgate, Robson, DeCosmos, Helmcken, Macdonald, Walkem, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Smith gave notice of 2 motions.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding, and it was

Resolved, That an address be presented to His Excellency the Governor, praying that the sum of \$3,000 be granted for the purpose of liquidating the debt of the Royal Hospital, such debts having been incurred upon the belief that the sum would as usual have been paid by the Government of Vancouver Island.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Helmcken seconding,

That a respectful address be presented to His Excellency the Governor, recommending that a premium of \$5,000 be offered for the first Quartz Crushing

Mill erected and put into operation in the Shuswap country, capable of crushing twenty-five tons of Quartz in twenty-four hours.

On the question being put the Council divided.

*Ayes 6, Noes 9.*

Four Hon. Members not having voted they were counted in the affirmative, so the division was counted as follows:

*Ayes 10, Noes 9.*

So the motion was carried and Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Vancouver Island Road Bill.

Ordered that leave be granted and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, the Legal Professions Bill was read second time.

Ordered to be committed on Friday next.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Currency Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete.

Ordered that the said Bill be now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be the "Currency Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in for adoption a Schedule for the Harbour Dues Bill, and asked leave to sit again.

Ordered that the Report of the Committee be adopted, and that leave be granted to sit again on Friday.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Harbour Dues Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete.

On the question of the adoption of the Report of the Committee being put, The Hon. Mr. Helmcken moved, in amendment, that the Bill be recommended.

On the amendment being put the Council divided.

*Ayes 7, Noes 11.*

So the amendment was lost, and it was Ordered that the Report of the Committee be adopted, and the Bill read third time to-morrow.

On the motion of the Hon. the Attorney General,

Ordered, that the Standing Orders be suspended to enable the Hon. Member to introduce two Bills.

Standing Orders having been suspended accordingly, the Hon. Member introduced the Pilotage Bill, and the Harbour Regulations Bill.

Ordered that the said Bills be read first time at once.

Read first time accordingly.

Ordered that the said Bills be read second time on Friday.

The Hon. the Attorney General, from the Select Committee appointed to revise the Victoria Incorporation Bill, brought up an amended Bill.

Ordered that the same be considered in Committee of the whole on Friday next.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 p.m., to-morrow.

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### **Thursday, the 21st day of March, 1867.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Franklyn, Ball, Walkem, Southgate, DeCosmos, Helmcken, Pemberton, Robson, Smith, Macdonald.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. the Attorney General gave notice of 2 motions.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Ball seconding, and it was Resolved,

That a respectful address be presented to His Excellency the Governor, praying that the sum of \$1,370.15 be granted out of the General Revenue of the Colony for the purpose of liquidating the debts of the Royal Columbia Hospital.

Pursuant to the Order of the day, the Hon. Mr. Smith moved, the Hon. Mr. Robson seconding,

That an address be presented to His Excellency the Governor praying that Barley imported into the Colony for brewing purposes may be allowed to come in duty free.

On the question being put the Council divided.

*Ayes 4, Noes 13.*

So the Resolution was lost.

Pursuant to the Order of the day, the Hon. the Solicitor General asked leave to introduce Exchequer Debenture Bill.

Ordered that leave be granted, and that the said Bill now be read first time. Read first time accordingly.

On the motion of the Hon. Mr. Helmcken, Ordered that the said Bill be referred to the Committee of Ways and Means.

On the Order of the day being read for the third reading of the Harbour Dues Bill,  
The Hon. Mr. Helmcken moved that the said Bill be now recommitted.

On the question being put whether the Standing Orders be suspended, the Council divided.

*Ayes 3, Noes 14.*

So the amendment was lost, and it was Ordered that the Bill be now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and that its title be the "Shipping Ordinance, 1867."

On the Order of the day being read for the second reading of the Mortgages Bill,  
On the motion of the Hon. the Attorney General,  
Ordered that the same be postponed till Monday.

On the Order of the day being read for the second reading of the Victoria Real Estate Tax Repeal Bill,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Walkem seconding, the following Resolution:

That the second reading of the Vancouver Island Real Estate Tax Repeal Bill, 1867, be postponed until the purchasers of Lands at Tax Sales, under the "Real Estate Tax Amendment Act, 1862," shall have had due and ample notice of the provisions of the said Bill; and that a respectful address be presented to His Excellency the Governor asking that the provisions of the said Bill, in substance so far as they may concern the purchasers of Land at Tax Sales, be telegraphed to Victoria and published in both the daily papers for one week, with a request that all purchasers of Lands at such Sales may represent to the Government whether the said provisions of the said Bill meet with their concurrence, and if not to forward forthwith their objections to the same; and that His Excellency be further asked to lay before the Council a Return of the numbers of the Lots or Parcels of Land sold at Tax Sales and still unredeemed from the purchasers, the names of the delinquent tax-payers of the same, and the names of the purchasers of the said unredeemed Lots, together with the respective sums paid by such purchasers in respect of said unredeemed Lots.

On the amendment being put, a debate arose which having terminated the Council divided.

*Ayes 3, Noes 14.*

So the amendment was lost and the original question having been put and carried, the Bill was read the second time.

Ordered to be committed on Wednesday next.

Pursuant to the Order of the day, the Report of the Select Committee appointed to enquire into the Land Laws was read aloud by the Clerk as follows:

Your Select Committee appointed to enquire first what system should be adopted in the general disposal of the Crown Lands of the Colony as most conducive to its interests, and secondly to enquire into the respective merits of



the measures on the subject introduced and now before the Council, have the honor to report:

That in their opinion the fee simple of the Crown Lands of the Colony should as soon as possible be vested in its Legislature, with a view to the adoption of a system of free grants to intending settlers. To such a disposition, the assent of Her Majesty's Government is under the present law an absolute necessity, entailing a delay which, for obvious reasons, places the Colony at a great disadvantage. In arriving at such a conclusion, your Committee believe that the system, if adopted, will not only tend to attract a settled population, but will invite the investment of capital, which our law at present has an inclination rather to forbid than to encourage.

That our large tracts of agricultural land are rich in fertility is beyond all doubt, but with lands equally fertile in the adjoining Republic, some further inducement than is offered by nature ought, in the shape of free grants, to be presented to the vast tide of immigration annually flowing to the shores of this continent.

The adoption of such a principle is not the less desirable from another point of view. The construction, which the contemplated Confederation may hasten, of a highway, followed by a no less possible line of Railway, across the continent through British Territory, has already occupied the attention of this as well as of the Eastern Section of British North America. The successful termination of such an enterprise is too obviously calculated to advance the material prosperity of the Colony to need comment.

The Government should therefore be at once placed in a position which will enable it to foster the settlement of our lands and facilitate undertakings of such moment to the Colony.

Your Committee therefore recommend that a respectful address be presented to His Excellency the Governor, with a view to the attainment of objects so desirable.

Pending the consent of the Home Government, your Committee do not consider it advisable to make any radical change in the Land system now in force in this Colony, but, having carefully reconstructed the "Land Ordinance, 1865," and made certain amendments thereto, which will in their opinion render it more complete in practice, and form a clearer guide to intending Pre-emptors, they recommend this amended Bill for the adoption of the Council.

(Signed), J. W. TRUTCH, Chairman.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p.m., to-morrow.

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## Friday, the 22nd day of March, 1867.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Ball, Crease, Trutch, Wood, Hamley, Sanders, Franklyn, Brew, Pemberton, Southgate, Robson, DeCosmos, Macdonald, Helmcken, Stamp, Walkem, Young, Barnard.

The Minutes of the previous Meeting were read.

On the question of their confirmation being put, the Hon. Mr. Helmcken handed in the annexed protest in reference to the third reading of the Shipping Ordinance:

We, the undersigned elected Members of the Legislative Council, desire to place on record our protest against the 5th Section of a Bill entitled "An Ordinance respecting Harbour and Tonnage Dues, and to regulate the Licenses on the Vessels engaged in the Coasting and Inland Navigation trade.

SEC. V. It shall be lawful for the Governor in Council at any time or times, should special circumstances make the granting of such privileges in his opinion desirable, hereafter to license and authorize any Foreign Bottoms to engage in the Coasting Trade or Inland Navigation of British Columbia."

1. Because we believe such Section to be contrary to Imperial Statute;

2. Because, whilst it is the policy of the Government to encourage the various industries of the Country, this Clause will have exactly the contrary effect upon the Shipping interest;

3. Because the very existence of such a Section is calculated to destroy confidence, and to interfere with and even prevent the investment of capital in either the building or owning of Colonial Vessels;

4. Because, whilst it tends to depress the legitimate business of the British Colonist, it is calculated to raise the expectations of the Americans;

5. Because it may be the means of diverting the Commerce of the Country, and of encouraging the growth of Commercial Towns in the neighbouring American Territory, to the great detriment of the Commercial City of the Colony.

J. S. HELMCKEN, Victoria, (elected).

W. J. MACDONALD, Mayor of Victoria, (nominated),

EDWD. STAMP, Lillooet, (elected),

J. D. PEMBERTON, District No. 2, (elected),

A. DECOSMOS, Victoria, (elected).

The Minutes were then confirmed.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 34.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, dated the 18th instant, in favor of the admission of British Columbia with the proposed Confederation of the Eastern British Colonies of North America.

He will place himself in communication on the subject with the Secretary of State, with Viscount Monck, Governor of Canada, and with Sir Edmund Head, Governor of the Hudson Bay Company.

*Government House,  
21st March, 1867.*

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in The Harewood Railway Extension Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Excise Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be referred to the Committee of Ways and Means.

On the Order of the day being read for the motion standing in the Hon. Mr. Smith's name,

Ordered that the same be postponed till Monday.

Pursuant to the Order of the day, the adjourned consideration of the Hon. Mr. Stamp's motion, in regard to the drawback of duties on articles used by certain Saw Mills, was resumed.

The Hon. Mr. Stamp asked leave to withdraw his original motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

On the amendment of the Hon. Mr. Helmcken being put the Council divided.

*Ayes 13, Noes 5.*

So it was Resolved,

That His Excellency be recommended to grant a sum not exceeding fifty cents per thousand feet upon all sawn lumber exported from the Colony.

On the Order of the day being read for the second reading of the Roads (V. I.) Bill,

Ordered that the same be postponed until Monday.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Legal Professions Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with some amendments.

Ordered that the said Bill be read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in the Exchequer Debenture Bill, with the recommendation that it be read second time, and asked leave to sit again.

Ordered that leave be granted, and that the Bill be read second time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Victoria Incorporation Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 11 a.m., to-morrow.

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### **Saturday, the 23rd day of March, 1867.**

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Young, Wood, Sanders, Southgate, Robson, Helmcken, Franklyn, DeCosmos, Macdonald, Ball.

The Minutes of the previous Meeting were read over and confirmed.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Victoria Incorporation Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported considerable progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Monday.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 35.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bills entitled respectively:

An Ordinance to assimilate and amend the Laws relating to Licenses and direct Taxes on Persons;

An Ordinance to assimilate the Law exempting the Homestead and other property from forced seizure and sale in certain cases in all parts of the Colony of British Columbia.

*Government House,  
23rd March, 1867.*

Pursuant to the Order of the day, the Legal Professions Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Legal Practitioners Ordinance, 1867."

Pursuant to the Order of the day, the Exchequer Debenture Bill was read second time.

Ordered to be committed on Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 o'clock, p.m., on Monday.

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### Monday, the 25th day of March, 1867.

The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Hamley, Brew, Wood, Young, Sanders, Ball, Cox, Franklyn, Southgate, DeCosmos, Helmcken, Robson, Smith, Barnard, O'Reilly, Macdonald.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Smith moved, the Hon. Mr. Barnard seconding,

That this Council recommend to His Excellency the Governor the necessity of appointing Justices of the Peace in the different districts throughout the interior of the Colony.

Also that some person be empowered at Seymour and Kamloops, or Savana's Ferry, to issue Mining Certificates and Record Mining Claims, with a view to the better convenience of the Miners engaged in these districts.

On the question being put the Council divided.

*Ayes 6, Noes 11.*

On a request being made to that effect, the names were taken down by the Clerk as follows:

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Barnard,	Messrs. Ball,
Smith,	Crease,
DeCosmos,	Young,
Helmcken,	Trutch,
Southgate,	Franklyn,
Robson.	Sanders,
	O'Reilly,
	Brew,
	Hamley,
	Wood,
	Cox.

The Hon. Mr. Macdonald not having voted, his vote was counted in the affirmative.

So the vote was taken *Ayes 7, Noes 11*, and the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Macdonald seconding,

That an address be presented to His Excellency the Governor praying that a drawback of not exceeding \$2.50 a hogshead be granted upon all Malt Liquors manufactured in the Colony exported, or for the use of Her Majesty's Navy.

The Hon. Mr. Young moved that the words "until 31st December, 1867" be added.

The Amendment having been put, the Resolution as amended was then put and carried, and it was Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in the Ports of Entry Bill.

Ordered that leave be granted and that the Bill be now read first time.  
Bill read first time accordingly.

Ordered to be read the second time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Southgate asked leave to bring in a Bill extending the County Courts Act of British Columbia to Vancouver Island, in order to facilitate the collection of small debts at Nanaimo.

Whereupon a debate arose, during which

A Message from His Excellency the Governor was read as follows:

*Message No. 36.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to the Bills entitled respectively:

An Ordinance to declare the application of the existing Laws of Customs.

An Ordinance to amend the Duties of Customs.

He has seen with satisfaction the passage of an Ordinance to remove any doubt which might have been entertained as to the legality of the past collection of duties on the Mainland, on Goods imported without previous payment of duties from Vancouver Island.

Now, however, on consenting to the new Customs Law the Governor has given instructions that no further Customs duties be levied on Goods or Commodities transferred from one portion of the Colony to another.

*Government House,  
25th March, 1867.*

The Hon. Mr. Young then moved the following amendment to the Hon. Mr. Southgate's motion:

That His Excellency the Governor be respectfully requested to make provision for the establishment of a District Court for the Collection of small debts at Nanaimo.

The amendment was then put and carried.

On the Order of the day being read for the adjourned Committee of the Victoria Incorporation Bill,

Ordered that the same be postponed till to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Exchequer Debenture Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of Ways and Means.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in the Excise Bill, which had been amended, for the adoption of the Council, and recommended that the said Bill be now read second time.

Ordered that the Report be adopted and the Bill read second time.

Read second time accordingly.

Ordered to be committed later in the day.

Pursuant to the Order of the day, the Harewood Railway Extension Bill was read second time.

Ordered to be committed on Thursday.

On the Order of the day being read for the second reading of the Pilotage and Land Bills,

Ordered that the same be postponed till to-morrow.

Pursuant to the Order of the day the Harbour Regulations Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with slight alterations.

Ordered that the said Bill be read third time to-morrow.

On the Order of the day being read for the second reading of the Mortgages and Vancouver Road Bills,

Ordered that the same be postponed till to-morrow.

According to Order, the Council went again into Committee of the whole on the Excise Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with slight amendment.

Ordered to be read third time to-morrow.

Then, on the motion of the Hon. Mr. Smith, the Council adjourned till 2 o'clock, p.m., to-morrow.

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### **Tuesday, the 26th day of March, 1867.**

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Franklyn, Ball, Southgate, DeCosmos, Helmcken, Sanders, Robson, Smith, Macdonald.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Harbour Regulations Bill was read third time, and it was Resolved that this Bill do now pass, and its title be the "Harbour Regulations Ordinance, 1867."

Pursuant to the Order of the day, the Excise Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Excise Ordinance, 1867."

Pursuant to the Order of the day, the Debenture Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Exchequer Debenture Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Victoria Incorporation Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill to have been considerably amended and to be now complete.

Ordered to be read third time on Friday next.

Pursuant to the Order of the day, the Pilotage Bill was read second time.

Ordered that the same be committed forthwith.

The Council went into Committee of the whole on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Brew, Chairman of the Committee, reported the Bill complete with slight amendment.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Land Bill was read second time.

Ordered that the same be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported that slight progress had been made with the Bill, and asked leave to sit again.

Ordered that the Report be adopted, and leave granted to sit again to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m., to-morrow.

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### Wednesday, the 27th day of March, 1867.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Ball, Crease, Trutch, Wood, Hamley, Sanders, Franklyn, Brew, Southgate, Robson, DeCosmos, Macdonald, Helmcken, Young, Barnard, Cox, O'Reilly, Smith.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Wood, from the Select Committee appointed to enquire into the Medical Bill, brought up a Report, which was read aloud by the Clerk as follows:

Your Committee report that they have prepared a draft Bill which however has not been unanimously agreed to.

The point in doubt which is left for debate with the Legislative Council, is whether a register should be made of all Licentiates in Medicine and Surgery possessing a diploma from any existing school, British and Foreign, without



regard to the amount of study exacted before grant of a licence, or whether it should be confined to those who have graduated in a school requiring a substantial course of study extending over a period of three or four years.

The majority of your Committee have drafted a Bill for the registration of all persons possessing a diploma of whatever sort it be, believing that such a measure is sufficient to protect the public against totally unauthorized practitioners, and it is suitable to the present condition of the Colony, leaving it for the Honorable the Legislative Council to adopt amendments if they please, or to leave the matter open for more perfect legislation at some future period when a School of Medicine can be established in the Colony.

Ordered that the Report be adopted, and the Bill now read second time.

Read second time accordingly.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported progress and asked leave to sit again presently.

Ordered that leave be granted.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 37.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, for their information, certain Petitions addressed to him requesting that Victoria may be made, according to some of these papers, the Capital, according to others the Seat of Government of the United Colony.<sup>18</sup>

It is in no cavilling spirit that he points out that those first alluded to appear to have been signed under a false impression. There is no intention of erecting Public Offices in New Westminster during the present condition of the Colonial finances. The Government Officers do not complain of the accommodation afforded to them, and, if economy be alone considered, the retention of the Seat of Government on the banks of the Fraser is to be preferred, inasmuch as a considerable outlay would be required to make the Government House at Victoria permanently habitable.

It is a matter of sincere regret to the Governor that this vast and thinly peopled territory should, in the early stage of its political existence, have been divided into two separate Colonies, and that two, necessarily rival, towns should have been founded in comparatively close proximity. His labours would now be lighter, and the Colony more prosperous, had the spare resources of the inhabitants been concentrated in the erection of one town of magnitude, of sufficient importance and attraction to retain during the winter the greater part of the unattached population of the Colony. He would not care if the site for the Capital had been fixed where Victoria now stands, or on the Bay of Esquimalt, or at New Westminster. Nor could he, if the matter had been clearly understood by all, have objected to one scale of taxation being fixed, favorable to commerce, upon those who elected to live in the chief town or within a certain radius of it, and another upon those who took to other occupations in outlying districts. But it is not in order to express regret over the past that the Governor now comments on the Petitions he forwards.

New Westminster was by Proclamation, having the force of Law, created the "Capital" of British Columbia. Her Majesty was invited to name the young city and bestowed upon it the name it now bears. Though styled Capital it would not appear to have been the Seat of Government, and the affairs of the Mainland were directed from the chief town of the neighbouring insular Colony. Dissatisfaction, whether general or local the Governor is not in a position to say, ensued, and Her

<sup>18</sup> *Ibid.*, p. xvi.

Majesty was advised to separate the administration of the Government of British Columbia from that of Vancouver Island.

On his acceptance of office in this Colony the present Governor was instructed to use all means in his power to bring about an entire Union of the two Colonies, which the Secretary of State had reluctantly advised the Queen to disconnect. His Grace stated that it was the intention of the Government that New Westminster should be the Seat of Government of the Colony if a fusion could be obtained, although he believed that Victoria would always retain her commercial supremacy. The Legislature of the Mainland was accordingly called upon to provide a house, suitably furnished, for the residence of the Governor, while no such provision was required from Vancouver Island.

On his arrival in the Colony the Governor found the sum of £10,000 voted for the erection of Public Buildings in New Westminster, but, with the cheerful concurrence of the Public Officers interested, he declined to lay out the money in that manner, choosing rather, in the general interest, to devote it to the lowering, by improvements in communication, the price of commodities in the Gold Districts.

The desire for Union the Governor looked for, grew and matured in a section of the present Colony, until the Imperial Legislature considered the time had arrived for carrying into effect a policy Her Majesty's Government had steadily kept in view. Then British interests on the shores of the North Pacific were consolidated by Act of Parliament.

The Governor understands that, during the passage of the Act, it was stated in both Houses of Parliament that New Westminster should be the Seat of the General Government. An influential Member of the Government informed him a few days before his departure from England—"I do not think it necessary that the Secretary of State should give you instructions as to the Seat of Government. It is understood that New Westminster should be the Capital, and that you should visit Victoria when you think necessary. But if you wish for definite orders, you will do best to ask for them in a formal letter to the Secretary of State." The Governor has no doubt that such an application would have resulted in a Royal decision in favour of New Westminster, and he may state that it was on his intercession alone, that the order to sell the Government House, at Victoria, was withheld.

He is of opinion that the question as to the future Seat of Government and of the assembling of the Legislature had better, ultimately, be decided on local recommendation. He would, however, not desire that the interests of New Westminster should be prejudiced, by his regard for the general interests of the Colony having been superior to that he felt for the comfort of himself and Public Officers. Nor, on the other hand, would he wish any undue consideration to be given in favour of Victoria, on account of a large outlay having been made on a Governor's residence, at a time when Vancouver Island could ill afford it. He would take no advantage of the fact of one section of the Colony having asked for unconditional Union, while the other stood aloof, nor would he maintain that any Proclamation, though having the force of Law, may not be repealed when the community reaches a more advanced state of population and mode of Government, but, for the present, he will leave matters as they are. He will watch, without preference or prejudice, over the general interests of the Colony as they may develop themselves in the uncertain future, and will be prepared to act upon his own judgment in the advice, if any, which he may lay before Her Majesty's Ministers.

He trusts that no immediate action may be urged upon him. He feels deeply the injury the Colony has sustained from political agitation, and now states plainly that should he find it necessary to set the present question at rest, he will humbly recommend to the Queen that he and his Successors in office be commanded to reside permanently in the present Capital of the Colony.

*Government House,  
27th March, 1867.*

Ordered to be printed for the use of Members.

According to Order the Council went again into Committee of the whole on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported considerable progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the third reading of the Pilotage Bill,

On the motion of the Hon. Mr. Southgate,

Ordered that the same be recommitted at once.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that a new clause had been added, and that the Bill was now complete.

Ordered that the Report be adopted and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and that its title be "The Pilotage Ordinance, 1867."

On the motion of the Hon. Mr. Helmcken, the Standing Orders were suspended in order to enable the Hon. Member to place a notice of motion on the Order Book for to-morrow.

The Hon. Member then gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Robson moved the first reading of the Limitation of Foreign Suits Bill.

Ordered accordingly.

Bill read first time.

Ordered to be read the second time to-morrow.

On the Order of the day being read for the Hon. Mr. DeCosmos' motion for a Committee of the whole on the subject of the Settlement of the Crown Lands,

The Hon. Member moved that the same be considered to-morrow.

Ordered accordingly.

On the Order of the day being read for the Committal of the Victoria Real Estate Tax Repeal Bill,

On the motion of the Hon. Mr. Young,

Resolved, That the Committee of the whole on this Bill be instructed to divide the same into two parts, one for the repeal of the Tax, and the other dealing with the other matter contained in the Bill.

On motion of the Hon. the Attorney General, the "Victoria Real Estate Sale Repeal Bill" was read second time.

Ordered to be committed at once.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn Chairman of the Committee reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

The Council then went into Committee of the whole on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill repealing the Tax to be complete, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Bill be read third time to-morrow.

Pursuant to the Order of the day the Ports of Entry Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 2 o'clock, p.m., to-morrow.

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### Thursday, the 28th day of March, 1867.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Franklyn, Ball, Southgate, DeCosmos, Helmcken, Sanders, Robson, Smith, Macdonald, Walkem, Barnard, Pemberton, Stamp.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Franklyn gave notice of motion.

The Hon. Mr. Pemberton gave notice of motion.

Pursuant to the Order of the day, the Ports of Entry Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Ports of Entry Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of the whole on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with slight amendment.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went into Committee of the whole on the Harewood Railway Extension Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with slight amendment.

Ordered that the report be adopted and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Mortgages Bill was read second time.

Ordered that the same be committed forthwith.

The Council went into Committee of the whole on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that the Report be adopted and leave granted to sit again to-morrow.



On the Order of the day being read for the committal of the Medical Bill,  
Ordered that the same be postponed till Saturday.

On the Order of the day being read for the second reading of the Limitation of Suits Bill, a debate commenced, during which,

On the motion of the Hon. Mr. Walkem, the Council adjourned till 10 a.m., to-morrow.

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### Friday, the 29th day of March, 1867.

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The Council met at 10 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Young, Wood, Hamley, Brew, Cox, Ball, O'Reilly, Sanders, Franklyn, Pemberton, Southgate, DeCosmos, Stamp, Walkem, Helmcken, Macdonald, Robson, Barnard.

The Minutes of the previous Meeting were read over and confirmed.

On the motion of the Hon. the Attorney General, the Standing Orders were suspended to enable the Hon. Member to introduce a Bill.

The Hon. Member introduced the Aliens Bill, 1867.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

On the Order of the day being read for the third reading of the Victoria Incorporation Bill,

The Hon. Mr. Helmcken moved that the consideration of the Governor's Message be taken first.

On the question being put the Council divided.

*Ayes 7, Noes 6.*

So it was Resolved in the affirmative and Ordered accordingly.

The consideration of His Excellency's Message, No. 37, being before the Council,

The Hon. Mr. Helmcken moved, the Hon. Mr. Macdonald seconding,

This Council having taken into consideration His Excellency the Governor's Message, No. 37, relating to the Seat of Government, as well as the numerous and numerous signed Petitions, from all parts of the Country, praying that Victoria may be made the Seat of Government.

Resolved, That were the Seat of Government at Victoria it would be consonant with the desire of the public, advantageous to the Administration, conducive to the best interests of the Country, and diminish the cost of Government.

That, without wishing to embarrass the Executive in any way, the Council would urge that such steps may be taken as may to His Excellency seem best toward carrying out the desire of the Petitioners.

That His Excellency the Governor be humbly solicited to cause the next Session of the Legislative Council to be holden at Victoria.

Whereupon a debate arose, and on the termination of the same, the question being put, the Council divided.

*Ayes* 13, *Noes* 8.

On a request being made to that effect, the names were taken down by the Clerk as follows:

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Pemberton,	Messrs. Ball,
DeCosmos,	Crease,
Helmcken,	Franklyn,
Southgate,	Brew,
Wood,	Hamley,
Cox,	Barnard,
Sanders,	Smith,
O'Reilly,	Robson.
Young,	
Trutch,	
Macdonald,	
Walkem,	
Stamp.	

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Harewood Railway Extension Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Harewood Colliery Company's Railway Extension Ordinance, 1867."

On the Order of the day being read for the third reading of the Victoria Incorporation Bill,

Ordered that the same be postponed till Monday.

Pursuant to the Order of the day, the Real Estate Repeal Bill was read third time, and it was Resolved that this Bill do now pass, and its title be "The Real Estate Tax Repeal Ordinance, 1867."

On the Order of the day being read for the third reading of the Land Bill,

Ordered that the same be deferred till Monday.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 11 a.m., to-morrow.

### **Saturday, the 30th day of March, 1867.**

The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Wood, Young, Sanders, Cox, Brew, O'Reilly, Southgate, Robson, DeCosmos, Macdonald, Helmcken, Smith, Pemberton, Walkem, Stamp.

The Minutes of the previous Meeting were read over and confirmed.

The Order of the day being read for the motion of the Hon. Mr. Franklyn,  
Ordered to be deferred till Monday.

Pursuant to the Order of the day, the Council went into Committee of the whole  
on the Medical Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders,  
Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time on Monday.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 38.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council, that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to authorize the issue of Debentures for short temporary Loans."

*Government House,  
30th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 39.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to amend and assimilate the procedure of the County Courts in all parts of the Colony of British Columbia."

*Government House,  
30th March, 1867.*

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered that the Standing Orders be suspended to enable the Bill to be read second time at once.

Bill read second time accordingly.

Ordered to be committed on Monday.

On the Order of the day being read for the second reading of the Alien Bill,  
Ordered to be postponed till Monday.

Pursuant to the Order of the day, the Council went into adjourned Committee on  
the Mortgages Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Monday.

The Hon. Mr. Pemberton, pursuant to the Order of the day, asked the Collector of Customs whether he is informed that the *Active* has been recently carrying freight or passengers for hire between Victoria and New Westminster, and if so, whether he has given any permission in the matter?

The Hon. the Collector of Customs replied.

Pursuant to the Order of the day, the Limitation of Foreign Actions Bill was read second time.

Ordered that the same be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with certain amendments.

Ordered that the Report be adopted, and the Bill read third time on Monday.

A Message from His Excellency the Governor was read as follows:

*Message No. 40.*

FREDERICK SEYMOUR.

At the request of the Legislative Council, the Governor forwards a Return shewing the particulars of the Public Debt of Vancouver Island and the Mainland at the time of Union, exclusive of current liabilities.<sup>19</sup>

*Government House,  
30th March, 1867.*

Ordered to be printed.

Pursuant to the Order of the day, the Land Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Land Ordinance, 1867."

On the Order of the day being read for the motion set opposite the name of the Hon. Mr. DeCosmos,

The Hon. Member moved that the adjourned debate on the alteration of the Constitution standing as an Order of the day be taken first, the Council divided.

*Ayes 5, Noes 13.*

So the amendment was lost.

Ordered that the Order of the day be taken in regular rotation.

The Council accordingly went into Committee of the whole on the subject of the Settlement of the Crown Lands.

On the Presiding Member resuming the Chair, the Hon. Mr. Brew, Chairman of the Committee, handed in the following Resolution for the adoption of the Council:

Resolved

1. That the Council having had under consideration the advisability of making further provision to foster and encourage settlement on the Crown Lands, respectfully represent to His Excellency the Governor that, in addition to the advantages offered to settlers by the provisions of the Land Ordinance, and by the stimulus to agriculture incidental to the operation of the revised Tariff, the Council would recommend that the Department of Lands and Works, in addition to its ordinary duties, be used as an Immigration Department.

2. That the Colony be divided into Land Districts; that the chief office be located in the district where the largest body of immigrants and floating population usually arrives, and from whence they distribute themselves throughout the Colony, or take their departure to other countries; that in each of the other districts a sub-office be opened; that the chief office be supplied with maps of the entire Colony, shewing the lands sold and pre-empted in each district, the lands open and suitable for pre-emption; that each sub-office be

<sup>19</sup> *Ibid.*, p. xvii.



supplied with similar maps of the district to which it may belong; that the land or sub-office in each district be supplied with the best information obtainable, in a compendious printed form, respecting the adaptability of the soil of such district for agricultural purposes, the localities best suited for immediate settlement, the topography of the district generally, the character of the seasons, and such other climatic observations as may be of service to farmers and stock-raisers; also the nearest and best market for produce, with current or average prices of produce and stock, the distances to such markets, the probable time occupied in carrying produce to market, and whether land or water conveyance is required, with the expense of transportation; also the average rate of wages for farm labourers and other occupations, and the requirements of such districts for labourers, blacksmith, wheelrights, artisans, carpenters, or other professions; and also an abstract of the present condition of agriculture and general industry in such district.

3. That the annual Returns made by the Sub-Commissioners shall contain information as to the acreage occupied, cultivated, and open and suitable for pre-emption in his district; the variety of crops, quantity, and yield annually; the stock and varieties thereof; the average prices of produce and stock; the markets, distances, and rate of wages; the condition of industry in general; the population, distinguishing their respective callings; the annual increase or decrease of population; and such general observations on agriculture and industry, topography, climate, &c., as may be new, or deemed to be of public utility.

4. That such Returns be printed and published for general circulation; that each sub-office be supplied with the same, and such Returns laid before the Legislature early in the Session.

5. That the Chief Commissioner and his agents collect, continually, information as to persons willing to settle on Crown lands, or in want of employment; make himself acquainted with such persons as may have capital enough to engage in agriculture or other industry, and supply them with information as to the best places to locate, and otherwise assist or induce them to settle in the country; assist the unemployed in getting employment, and also organize settlements, with Government aid, from among those persons who may not possess sufficient capital to engage in agriculture, though otherwise willing to do so.

6. The Council would recommend that in the absence of power to make free grants of land to *bona fide* settlers, a bounty be offered to actual settlers, equivalent to the pre-emption price of the land that they may be liable to pay under the Land Ordinance, and that the payment of such bounty be made to correspond to the payment of instalments under Pre-emption Ordinance.

7. The Council would recommend that means be taken, as early as possible, to induce or assist females, suitable for farmers' wives, to emigrate to the Colony, the want of this class being much felt.

On the question being put, Ordered that the Report of the Committee be adopted, and Resolved accordingly.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 11 o'clock a.m., on Monday.

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**Monday, the 1st day of April, 1867.**

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Birch, Crease, Trutch, Brew, Wood, Young, O'Reilly, Sanders, Ball, Cox, Franklyn, Southgate, DeCosmos, Helmcken, Robson, Stamp, Walkem, Pemberton, Macdonald.

The Minutes of the previous Meeting were read and confirmed.

On the motion of the Hon. Mr. Helmcken, Ordered that the Petitions on the Capital question be printed for the use of Members.

The Hon. Mr. Macdonald gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Franklyn moved, the Hon. Mr. Southgate seconded, and it was

Resolved, That His Excellency the Governor be respectfully requested to give directions for the extension of the Swine and Goat Act, of Victoria, V. I., to Nanaimo, V. I., the limits of the town to be considered a radius of one mile from the Court House.

On the Order of the day being read for the third reading of the Limitation of Actions Bill,

And the question being put the Council divided.

*Ayes 13, Noes 3.*

So the Bill was read the third time, and it was Resolved that this Bill do pass, and that its title be the "Limitation of Actions Ordinance, 1867."

Pursuant to the Order of the day, the Medical Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Medical Ordinance, 1867."

Pursuant to the Order of the day, the Council went again into Committee of the whole on the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

A Message from His Excellency the Governor, which being read is as follows:

*Message No. 41.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, asking for Returns shewing how the Public money voted for schools in Vancouver Island during the past three years has been expended.

He fears it will be difficult to procure these Returns during the present Session of the Council, but should he have prorogued the Council before their receipt he will direct the Returns sought for to be published in the *Government Gazette*.

*Government House,  
30th March, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 42.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill authorizing the unfor-seen expenditure for the Mainland portion of the Colony in the year 1866.

It being impossible, at this early date, to lay before the Council fully detailed accounts of the expenditure of the past year, the Governor states for the information of the Council that the amounts appearing in the Estimates, now submitted, are merely items of account, not of actual expenditure over and above the amount voted for the service of 1866. The Estimates for that year as passed by the Legislative Council amounted to \$722,004. Resolutions passed by the Council, and transmitted to the Officer Administering the Government, added \$10,000.

The total expenditure of the year, as brought to account in the Treasurer's books, however only approximated \$550,000.

*Government House,  
1st April, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 43.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance respecting the Legal Professions."

*Government House,  
1st April, 1867.*

A further Message from His Excellency the Governor, read as follows:

*Message No. 44.*

FREDERICK SEYMOUR.

The Governor consents to the greater portion of the suggestions made by the Legislative Council in regard to amendments in the Bill entitled "An Ordinance to assimilate and amend the Law prohibiting the sale or gift of intoxicating liquor to Indians."

He consequently substitutes for Clause XI. sent down by him to the Council in Message No. 19, the recommendations forwarded to him by the Legislative Council, and suggests that they form Clauses X, XVI, and XVII of the amended Ordinance, with the exception in the Clause XI. of the words after "provided always" to and including "further," and in the subsequent part of the same Clause the omission of the words "at the port of departure," and the substitution of the "Governor" for the "Officer of Customs."

*Government House,  
1st April, 1867.*

A further Message from His Excellency, read as follows:

*Message No. 45.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to confirm the expenditure of the sum of One hundred and thirty-two thousand six hundred and seventeen dollars and fifty-four cents, for the service of Vancouver Island for the year 1866."

*Government House,  
1st April, 1867.*

On the motion of the Hon. Mr. Helmcken, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That the Council recommended that a Supplementary Supply of \$96,918.11 be voted for the service of the year 1866.

Resolved, That the Council recommend that a Supply of \$141,295.15 be voted for the service of the Colony of Vancouver Island for the year 1866.

Ordered that the Report of the Committee of Supply be adopted.

On the motion of the Hon. the Attorney General, Ordered that the Supplemental Supply Bill be now read first time.

Read first time accordingly.

Ordered that the Standing Orders be suspended in order to allow the Bill to be read second time forthwith.

Bill read second time accordingly.

Ordered to be committed forthwith.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the motion of the Hon. Mr. Young, the Vancouver Island Supply Bill was read first time.

Ordered that the Standing Orders be suspended in order to enable the Bill to be read second time.

Bill read second time accordingly.

Ordered that the same be committed at once.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the motion of the Hon. Mr. Ball, the Council went into Committee on the amendments proposed by His Excellency, in Message No. 44, to the Indian Liquor Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That His Excellency the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency, in his Message No. 44, to the Indian Liquor Bill.

Pursuant to the Order of the day, the Alien Bill was read second time.

Ordered to be committed at once.

The Council went into Committee of the whole on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went into adjourned Committee on the Mortgages Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Franklyn, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the Order of the day being read for the second reading of the V. I. Roads Bill,

On the motion of the Hon. Mr. Young.

Ordered that leave be granted to withdraw the same.

Bill withdrawn accordingly.



Pursuant to the Order of the day, the Victoria Incorporation Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Victoria Municipal Ordinance, 1867."

On the motion of the Hon. Mr. Robson, it being six o'clock, Ordered that the Council adjourn till 8 o'clock, p.m.

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8 O'CLOCK, P. M.

On the Council resuming its sitting, pursuant to the Order of the day, the Council went into adjourned Committee of the whole on the Real Estate Sale Repeal Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments, subject to the annexed Resolution proposed for the adoption of the Council.

Ordered that the Report be adopted.

Resolved as follows:

That the Bill be read third time to-morrow, but that this Council is of opinion that His Excellency should be respectfully requested to suspend his assent to this Ordinance until he shall have been satisfied, by such means as to him may seem fit, of the truth of the preamble and the propriety of the Bill shall have been shewn.

Pursuant to the Order of the day, the Council went into adjourned Committee on the Hon. Mr. DeCosmos' motion for altering the Constitution of the Council.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported:

The Council having continued to sit till after 12 o'clock on Tuesday morning, that the Committee had come to no conclusion on the subject of altering the Constitution of the Council.

Then, on the motion of the Hon. Mr. Young, the Council adjourned till 1 o'clock, p.m.

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## Tuesday, the 2nd day of April, 1867.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hons. Messrs. Birch, Crease, Trutch, Young, Wood, O'Reilly, Cox, Hamley, Brew, Ball, Southgate, DeCosmos, Helmcken, Sanders, Walkem, Robson, Smith, Macdonald, Pemberton, Stamp.

The Minutes of the previous Meeting were read over and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Macdonald asked the Colonial Secretary why the Government require that the Mails from Yale to Soda Creek should be carried during the summer months in a "Stage waggon drawn by

not less than four horses" while on the score of economy they deem it necessary to call for fresh tenders, and do they intend to limit the rate of fare by such waggons?

The Hon. the Colonial Secretary replied.

A Message from His Excellency the Governor, read as follows:

*Message No. 46.*

FREDERICK SEYMOUR.

The Governor considers that in the present financial condition of the Colony the rate of Postage recommended for universal adoption by the Council is too low.

He recommends that the following Clause be inserted in lieu of Clause IX. in the Postal Ordinance, 1867:

"That for every letter deposited in or passing through any Post Office in the Colony, and not exceeding half an ounce in weight, there shall be paid a postage according to the following scale, that is to say:

"At or between Victoria or any Post Office in Vancouver Island and New Westminster, or any port in the Colony _____	5 Cents.
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"Between Vancouver Island or New Westminster and Clinton or Savana's Ferry _____	12½ "
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"Beyond those distances _____	25 "
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"Between any two Post Offices above Yale, Hope, and Douglas ____	12½ "
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"And for every additional half ounce, or fraction of half an ounce, beyond the above weight, there shall be paid on each such letter an additional postage according to the foregoing rates."

*Government House,  
2nd April, 1867.*

A further Message from His Excellency, as follows:

*Message No. 47.*

FREDERICK SEYMOUR.

In accordance with the desire expressed by the Legislative Council, the Governor forwards a Return shewing the expenditure under the head of Education in Vancouver Island, during the years 1864, 1865, 1866, respectively.<sup>20</sup>

*Government House,  
2nd April, 1867.*

Ordered to be printed for the use of Members.

On the motion of the Hon. Mr. Ball, Ordered that the Council do go into Committee of the whole on the amendments proposed by His Excellency to the Postal Bill.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for the adoption of the Council:

Resolved, That the Governor be acquainted that the Council have agreed to the amendments proposed by His Excellency to the Postal Ordinance.

Pursuant to the Order of the day, the County Courts Bill was read third time, and it was Resolved that this Bill do pass and its title be the "County Courts Ordinance, 1867."

Pursuant to the Order of the day, the Vancouver Island Supply Bill was read third time, and it was Resolved that this Bill do pass, and its title be "An Ordinance

<sup>20</sup> *Ibid.*, p. xvii.

to confirm the Expenditure of the sum of One Hundred and Forty One Thousand Two Hundred and Ninety-Five Dollars and Fifteen Cents, for the Service of the Colony of Vancouver Island, for the Year One Thousand Eight Hundred and Sixty-Six."

Pursuant to the Order of the day, the British Columbia Supplementary Supply Bill was read third time, and it was Resolved that this Bill do pass and its title be "An Ordinance to confirm the Expenditure for the services of the year One Thousand Eight Hundred and Sixty-Six, not authorised in the grant for that year."

Pursuant to the Order of the day, the Alien Bill was read the third time, and it was Resolved that this Bill do pass and its title be the "Aliens' Ordinance, 1867."

Pursuant to the Order of the day, the Mortgages Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Mortgages Ordinance, 1867."

On the Order of the day being read for the third reading of the Real Estate Tax Sale Bill,

On the motion of the Hon. Mr. Young, Ordered that the same be recommended.

The Council went into Committee of the whole accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported that additions had been made to the Bill, and that it was now complete.

Ordered that the Report be adopted, and that the Bill be read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be the "Real Estate Tax Sale Ordinance, 1867."

*Dissentiente*, the Hon. Mr. DeCosmos.

On the motion of the Hon. Mr. Macdonald, the Hon. Mr. Helmcken seconding, the consideration of His Excellency's Message No. 32 was brought up,

And the Hon. Mr. Macdonald moved the following Resolution, which was put and carried by the vote of un-official Members, the Official Members having, agreeably to His Excellency's instructions, abstained from voting on the question:

Resolved, That the popular Members, to whom the Bill repealing the Crown Salaries Act has been exclusively left, are of opinion that in the present depressed condition of the Colony, Her Majesty's Government should be respectfully prayed to remunerate the Chief Executive Officer of this Colony.

That the popular Members recognize with satisfaction the desire of the Executive to reduce the cost of Government, and are not unaware of the difficulties that beset his path in that direction.

That His Excellency the Governor be respectfully requested to urge upon Her Majesty's Government the necessity of granting the Executive of this Colony power to simplify, centralize, and reduce the departmental system, so as to lessen the public expenditure to such a figure as the Colony is able to bear.

His Excellency Frederick Seymour, Esquire, Governor of the Colony, having entered the Council Chamber, accompanied by his Private Secretary, and, being seated in the President's Chair, made the following Speech proroguing the Council:

*Honorable Gentlemen of the Legislative Council:*

It is with great pleasure that I find myself enabled to-day to relieve you from further attendance upon your Legislative duties.

I acknowledge, with thankfulness, the care and candour you have bestowed upon all matters which have been brought under your consideration.

You have been informed by message that I have assented to nearly all the Bills which have been sent to me. I have now to add to our Statute Book the following Ordinances which, in Her Majesty's name, I have allowed:—

The Indian Liquor Bill, Harbour Regulations Bill, Marriage Bill, and those relating to Aliens, to the Gold Mining Districts, to the Excise Law, to Currency, to the Harbour Dues and Coasting Licenses, to that extending the time granted to the Harewood Coal Company, to the Bill relating to Pilotage, to that respecting Ports of Entry, to the Repeal of the Real Estate Tax of Vancouver Island, to the Bills affecting the Medical Profession and the Postal Service, to the Supply Bill for Vancouver Island, and the Supplemental Supply Bill for the Mainland.

I reserve for the signification of Her Majesty's pleasure the proposed Ordinance respecting the disposal of the Crown Lands. I shall transmit it with the Resolution passed by the Council in favour of a system of Free Grants of Land. I reserve, likewise, the Bill respecting the Limitation of Actions. That respecting Mortgages shall receive my early and most attentive consideration, as shall also the Bill to provide for the settlement of all outstanding questions relating to the Sale of Land for Taxes in Vancouver Island.

All the Resolutions passed by the Legislative Council shall have my full attention during the recess. You will not expect that I should allude to all of them separately, but there are some which I ought now to notice. I shall be glad to co-operate with you in any means for the promotion of Immigration and the occupation of the Crown Lands. The question as to whether the usually objectionable system of a bonus on exportation of certain natural products or manufactured articles is specially desirable here, shall engage my attention in the Executive Council.

I shall be very glad if the state of the Public Revenue shall justify the reduction or abolition of the Road Tolls.

Every fair consideration shall be given to your recommendation in favour of premiums for the establishment of Quartz Mills. But special care must be taken in thus disposing of the Taxes levied on the people.

I have to thank you for the appropriations made for the requirements of the Public Service. I notice with pleasure the interest you display in the Public Hospitals.

The principal Custom House shall, as you desire, be established where the principal commerce of the Colony is carried on, nor shall in other respects our chief town lack any of the fostering aid of the Government. If, in spite of your Resolution in favour of Victoria, I still hesitate on removing my abode and the Seat of the Legislature from the spot established by Law, you will understand that I consider the public faith and honor engaged on the one side, and possible expediency on the other. If, as some persons assert, the present uncertainty be found to be more detrimental to the public interests than any decision which may be arrived at, I shall come to that decision and make public the recommendation I may lay before the Secretary of State. I however look confidently forward to the time when the centre of population will be found on the Eastern side of the Cascade Range.

I am about to communicate with the Secretary of State and the Governors of Canada and of the Hudson's Bay Company, respecting the wish you have expressed to enter into a confederation with the Eastern Provinces of British North America. I will inform you as a Council, if a Legislative Session is in progress, if not as individual Honorable Gentlemen, of the result of my enquiries.



Humbly trusting that the year now opening may be one of prosperity to our miners, farmers, and merchants, I will relieve you for a time from your Legislative duties. In December next I hope to give you a satisfactory account of the year's Executive Administration. In the succeeding month, I trust, under circumstances of greater prosperity, that works of improvement may be proposed to you and that simultaneously some of the weight of taxation may be removed.

I now proceed to prorogue this Legislative Council, and the same is hereby prorogued accordingly.

JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA

21 MARCH 1868 TO 1 MAY 1868

IN THE  
31ST YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA

BEING THE FIFTH SESSION OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA



ROLL  
OF THE  
HONORABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*

FOR THE FIFTH SESSION OF THE LEGISLATIVE COUNCIL,  
BEING THE YEAR 1868, 31° VICTORIÆ.

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WILLIAM A. G. YOUNG, ACTING COLONIAL SECRETARY AND PRESIDING MEMBER.  
HENRY P. PELLEW CREASE, ATTORNEY GENERAL.  
ROBERT KER, ACTING DURING SESSION AS TREASURER.  
JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND  
SURVEYOR GENERAL.  
WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.  
HENRY MAYNARD BALL, MAGISTRATE, NEW WESTMINSTER.  
GEORGE WILLIAM COX, MAGISTRATE, COLUMBIA AND KOOTENAY.  
THOMAS ELWYN, ACTING DURING THE SESSION AS MAGISTRATE FOR CARIBOO.  
WILLIAM J. MACDONALD, MAGISTRATE, VICTORIA.  
PETER O'REILLY, MAGISTRATE, YALE AND LYTTON.  
WARNER R. SPALDING, MAGISTRATE, NANAIMO.  
THOMAS LETT WOOD, MAGISTRATE, VICTORIA.  
AMOR DeCOSMOS, VICTORIA.  
JOHN SEBASTIAN HELMCKEN, VICTORIA.  
JOSEPH DESPARD PEMBERTON, VICTORIA DISTRICT.  
JOHN ROBSON, NEW WESTMINSTER.  
ROBERT THOMPSON SMITH, COLUMBIA AND KOOTENAY.  
EDWARD STAMP, LILLOOET.  
GEORGE ANTHONY WALKEM, CARIBOO.  
FRANCIS JONES BARNARD, YALE AND LYTTON.





BRITISH COLUMBIA

V.



R.

FREDERICK SEYMOUR

{ L.S. }

## PROCLAMATION

By His Excellency FREDERICK SEYMOUR, ESQUIRE, Governor and Commander-in-Chief of the Colony of British Columbia and its Dependencies, Vice-Admiral and Ordinary of the same, &c., &c., &c.

*To the Honorable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;*

*Greeting.*

KNOW YE that I, FREDERICK SEYMOUR, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command and, by the tenor of these presents, enjoin you and each of you that on Saturday, the twenty-first day of March, One thousand eight hundred and sixty-eight, at the Council Chamber, New Westminster, personally you be and appear FOR THE DISPATCH OF BUSINESS, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, New Westminster, in the Colony of British Columbia, this sixth day of March, in the year of Our Lord One thousand eight hundred and sixty-eight, and in the thirty-first year of Her Majesty's Reign.

By Command.

WILLIAM A. G. YOUNG.

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**Saturday, the 21st day of March, 1868.**

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—

The Hon. Messrs. Young, Crease, Hamley, Trutch, Ball, Ker, O'Reilly, Cox, Elwyn, Robson, DeCosmos, Barnard, Smith, Walkem.

At 2 o'clock, p.m., His Excellency Frederick Seymour, Governor of the Colony, entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, administered the oaths of allegiance and office to two new Members, Robert Ker, Esquire, and Thomas Elwyn, Esquire.

His Excellency then delivered the following gracious Speech:—

*Honorable Gentlemen of the Legislative Council:*

It is with much pleasure that I find myself enabled to call you together to-day, and thus relieve myself of the serious responsibility which the deprivation of your assistance cannot fail to entail on me. I need scarcely add that an honest Government must be always glad to find constitutional means of making public its views, and to render to a competent authority an account of its proceedings.

In all communities the most difficult question to deal with is that of finance, and we cannot certainly claim an exemption from the common embarrassment. The year 1867 was the first in which British Columbia was thrown on its own resources. Heretofore, Loans raised in England, and overdrawn accounts at the

local Banks, largely contributed to the support of the Government, and to the formation of roads from which the country may derive a pride somewhat tinged by a melancholy consideration of the vast indebtedness now weighing on us. The spending of large sums of borrowed money gave employment to labour, and an impetus to all branches of trade, now, we have simply to rely on the proceeds of local taxation, largely reduced by remittances to England on account of Interest and Sinking Fund on our Debt. The financial position last year was greatly aggravated by circumstances to which it would be somewhat painful and is not necessary now to allude. Time will cure the evil, and I have to state that the Revenue has begun to show, within the last few months, signs of considerable elasticity.

The Estimates of Revenue and Expenditure shall shortly be laid on your table. I should bring them at once before you, were I not indulging the hope that the attention of Her Majesty's Government has been attracted to the financial position of this Colony. This hope is the cause of the delay which has occurred in my calling you together. Assisted or unassisted, however, I think that we should observe the utmost economy until we shall have relieved ourselves of local debts on which a crushing rate of interest is charged. I propose to address you by Message during the course of the Session, respecting the past and present financial position of the Colony.

You are aware that on the Union of the Colonies being completed, doubts were raised as to the position of the two Courts of Supreme Judicature, which the morning of the 19th of November found in full power: doubts going with some, to the extent of questioning the existence of one of them. I shall lay before you a Bill to remove all such doubts and define the power, the jurisdiction of the Courts, which I regret to say will for the present have to remain separate, and to establish the position of the two Judges, who will severally, perhaps occasionally jointly, preside in each. The Bill has been approved by the Law Officers of the Crown. I have, however, again ventured to repeat to Her Majesty's Government the expression of my opinion that a fusion of the Courts under one Chief Justice would be the more satisfactory arrangement.

I shall also lay before you a Bill for the more effectual protection of Her Majesty's Naval Stores. One amending the Ordinance relating to Weights and Measures, and another amending that respecting the limitation of certain causes of Action and Suits. Perhaps I may, during the course of the Session, bring under your notice other Bills, but it is my intention not to overburden your table with papers at this late season of the year. In the present transitional state of the Colony, it appears to me that we should rather watch events than attempt to guide them by legislation necessarily hesitating and tentative.

The external Postal arrangements are complicated and inconvenient. I shall bring papers connected with this subject under your consideration.

During the last Session, your Honorable Council unanimously passed a Resolution in favour of negotiations being entered into for the Union of this Colony with the Confederation which has been formed among the Eastern British Provinces on this Continent. Although I could not be blind to difficulties which made me consider the Resolution principally as the expression of a disheartened community, longing for change of any kind, yet the possibility alone of something arising out of it to promote an overland communication with Canada, was enough to induce me to support your Resolution. I learn in reply to my communications on the subject, that the consideration of it must, at all events, await the time when the intervening Territory now under the control of the Hudson's Bay Company shall have been incorporated with the Confederation.

A year's residence in the United Colony has convinced me that there are few questions in which the people of the Lower Country feel a deeper interest than that as to the selection of a Capital. Had the Colony been prosperous, no such earnestness of feeling would exist, but under present circumstances I think it right that I should explain at greater length the steps that have been taken in regard to its settlement than would be convenient on this occasion. As soon, therefore, as I am honoured by a reply to this address, I shall forward a statement of the case as it stands to you by Message. Suffice it now to say, that Her Majesty's Government are of opinion that in my Message of the 27th March, 1867, I took an extreme view as to the extent to which public faith and honour are pledged to the purchasers of land in New Westminster. Further, that I should consider the

public convenience from time to time as the main guide in the selection of a Seat of Government. I am commanded to come to a decision without further delay, and I desire to avail myself—although the matter is one of Executive prerogative—of your assistance in so doing. My Message will contain every information, and I shall be glad if you will come to a division on the subject. Every argument is exhausted. I have now but to act. A Governor must allow himself no personal feelings in a matter of this importance.

I congratulate you on the great improvements which I observed last year in the farms of the Upper Country, and on the favourable prospects which seem opening to our Gold Miners, as well as on the tranquillity of the Colony, and the absence of serious crime. A dispute between two Mining Companies on a distant Creek, during the summer, threatened at one time to assume serious proportions, and it is creditable to the Colony to note the sensation which the prospect of a breach of the peace produced throughout its vast extent. But the good sense and love of order, so general among our Miners, allowed of a settlement of the question without a resort to force, and the law speedily resumed its sway.

I wish that among my subjects of congratulation I could include that of an improvement in the material condition of the Colony, and something like a return of the time of immigration which gave birth to British Columbia. It seems strange that a country which possesses every advantage of climate and soil which the English race could desire; where land in the Upper Country can be had virtually for nothing; where mines of all the precious metals hold out their attractions; where hired labour is exorbitantly remunerated, that such a country should not even have the power of retaining all of those who have sought their fortunes on its distant shore.

I am of opinion that both sections of the present Colony have suffered much from their former antagonism. I trust that all differences are now merged, and that the Union—though as yet barren of good results—will cause a community of interests, leading to a feeling of forbearance and christian charity pleasing to Him, Whose support I humbly invoke on this solemn occasion.

His Excellency then left the Council Chamber.

The Hon. the Acting Colonial Secretary took the Chair as Presiding Member.

The Presiding Member acquainted the Council that to prevent any mistake he had obtained a copy of the Governor's Speech.

On the motion of the Hon. Mr. DeCosmos, ordered that the same be taken as read.

On the motion of the Hon. Mr. O'Reilly, the Hon. Mr. Ball seconding,

Ordered, That the Governor's Speech be printed for the use of Members.

On the motion of the Hon. Mr. Hamley, the Hon. Mr. Robson seconding,

Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw up and submit a reply to His Excellency's gracious Speech.

The following Honourable Members were named accordingly:—The Hon. Messrs. Hamley, DeCosmos, Robson, Barnard, Ball.

The Hon. Mr. DeCosmos having requested to be excused from acting on the Committee, the Hon. the Presiding Member named the Hon. Mr. O'Reilly in his stead.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. the Attorney General gave notice of motion.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till Monday, the 23rd instant, at 3 o'clock, p.m.



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**Monday, the 23rd day of March, 1868.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Ker, Elwyn, Cox, Robson, Ball, DeCosmos, Barnard, Smith.

The Minutes of the previous Meeting having been read and slightly amended were confirmed.

The Hon. Mr. DeCosmos gave 3 notices of motion.

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Hamley, from the Select Committee appointed to prepare a reply to His Excellency's opening Speech, brought up a Report.

Ordered to be read aloud by the Clerk.

Read accordingly as followeth:—

*To His Excellency Frederick Seymour, Governor and Commander-in-Chief of the Colony of British Columbia and its Dependencies, Vice Admiral and Ordinary of the same, &c.*

We, Her Majesty's dutiful and loyal subjects, Members of the Legislative Council of British Columbia, in Council assembled, have heard with great pleasure the statement of the affairs and prospects of the Colony, which Your Excellency has been graciously pleased to make to us, and we beg in return heartily to tender every assistance that may be in our power during the short period to which the sitting of the Council will this year be confined.

We are aware of the financial difficulties with which the Government is surrounded, but have confidence with Your Excellency that time and a revival of commercial prosperity will cure the evil, and we are glad to learn that there is a prospect of relief and sympathy in the mean time from the Imperial Government.

The Bill on the important measure for defining the power and jurisdiction of the two Courts of Supreme Judicature shall receive, as it merits, our earnest attention, as shall also the other Bills which Your Excellency proposes to lay before us.

It is with great pleasure we learn that the external Postal arrangements are likely to undergo some material improvement.

Fully impressed with the importance of the question of the Union of British Columbia with the Confederated Eastern British Provinces, we feel assured that when the opportune time may arrive every consideration will be given to the interests of this Colony.

We are glad that a question of such absorbing interest as the Seat of Government in the Colony is at length to receive its final settlement, with due regard to public faith and honor and the just claims of all parties concerned.

We cordially concur with Your Excellency in the expression of satisfaction at the marked improvement visible in the Agricultural and Mining Districts of the Colony, hoping that the undoubted advantages which it possesses will, at no distant period, attract a large and permanent population; and in conclusion we earnestly trust that the Higher Aid invoked by Your Excellency may be vouchsafed to us in our deliberations for the promotion of the common good.

(Signed)

W. HAMLEY,  
Chairman of the Select Committee.

The Hon. Mr. Smith moved, the Hon. the Attorney General seconding,

That this Report be adopted.

The Hon. Mr. DeCosmos, in amendment,

That it be referred to a Committee of the whole Council.

No seconder having been found for the amendment, the original motion was put, and the Council divided.

*Ayes 11, Noes 1.*

So it was Resolved That the Report be adopted.

The Hon. Mr. Ker moved, the Hon. Mr. Ball seconded,

And it was Resolved, That the reply to His Excellency's opening Speech be presented by the Council.

The Presiding Member having been requested to learn at what time His Excellency would be prepared to receive the address in reply,

The Council adjourned during pleasure.

On the Council resuming its sitting, the Hon. the Presiding Member acquainted the Council that His Excellency would be prepared to receive the reply at 3, p.m., to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Barnard seconding,

That an humble address be presented to His Excellency the Governor, asking that Returns may be laid before this Council giving a Comparative Statement of the Civil List of British Columbia in 1863, and that for the United Colony in 1867; the Returns in the latter case indicating the appointments rendered necessary by the incorporation of Vancouver Island with the Mainland; the said Returns to exhibit the salaries and other emoluments of office, as well as the names of the recipients thereof.

On the question being put it was carried unanimously and Resolved accordingly.

The Hon. Mr. Robson rose to speak to a question of order, as to whether Rule No. 8 of the Standing Orders, prohibiting the naming Members when alluding to their speeches or opinions, applies to the Presiding Member.

The Hon. the Presiding Member ruled that No. 8 of the Standing Orders was not applicable to the Presiding Member.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Limitation of Actions Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for next meeting of Council.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Supreme Courts Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for Friday next.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Intestate Estates Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for to-morrow.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 3 o'clock to-morrow.

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### **Tuesday, the 24th day of March, 1868.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, O'Reilly, Cox, Elwyn, DeCosmos, Robson, Barnard, Smith, Helmcken.

The Minutes of the previous Meeting were read over and confirmed.

The Hon. Mr. Robson gave notice of motion.

The Hon. the Attorney General then moved that the Council do now adjourn during pleasure, in order that the Council may present the Reply to His Excellency's opening Speech.

Ordered that the Council adjourn during pleasure.

On the Council resuming its sitting, the Hon. the Presiding Member acquainted the Council that, in company with the majority of the Hon. Members present, he had waited on His Excellency to present the address in Reply to the opening Speech, and that His Excellency had been pleased to make the following Rejoinder:

*Honorable Gentlemen of the Legislative Council:*

I am much obliged for the address you have been good enough to present to me. I have no doubt but that you will faithfully do your duty to the Colony you represent, and I think it desirable that every effort should be made to get through our work as early as possible.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Weights and Measures Bill.

Ordered that the same be now read first time.

Read first time accordingly.

Second reading ordered for to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Naval and Victualling Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Mortgages Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for Monday, 30th March.

Pursuant to the Order of the day, the Limitation of Actions Bill was read second time.

Ordered that the same be committed on Tuesday, the 31st instant.

Pursuant to the Order of the day, the Intestate Estate Sale Bill was read second time.

Ordered to be committed on Monday, the 30th instant.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock p. m. to-morrow.

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### Wednesday, the 25th day of March, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, O'Reilly, Cox, Pemberton, Stamp, DeCosmos, Helmcken, Macdonald, Elwyn, Robson, Barnard, Smith.

The Minutes of the previous Meeting were read, and having been amended, were confirmed.

The Hon. Mr. DeCosmos gave a notice of motion.

The Hon. Mr. Macdonald gave a notice of motion.

The Hon. Mr. DeCosmos gave a further notice of motion.

The Hon. Mr. Robson gave a notice of motion.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Collector of Customs, Whether the Revenue Laws of the Colony provide for granting Drawbacks on Merchandize exported on which Duties have been paid? If not, whether it is the intention of the Government to introduce a measure to grant Drawbacks on such exported Merchandize?

The Hon. Mr. Hamley replied.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Chief Commissioner of Land and Works, Whether it is the intention of the Government to submit a Return shewing the state of agriculture in the Colony?

The Hon. Mr. Trutch replied.

Pursuant to the Order of the day, the Weights and Measures Bill was read second time.



Ordered to be committed forthwith.

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported considerable progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Naval and Victualling Stores Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported considerable progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 3 o'clock to-morrow.

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### **Thursday, the 26th day of March, 1868.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Ker, Trutch, O'Reilly, Cox, Ball, Elwyn, Smith, Robson, Macdonald, Helmcken, DeCosmos, Pemberton.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Robson seconding,

That His Excellency the Governor be respectfully requested to lay before the Council a Return shewing the estimated population of the Colony, distinguishing between Whites, Chinese, and Indians; and setting forth the estimated population in each District represented in the Council, distinguishing between Whites, Chinese, and Indians.

On the question being put, it was carried unanimously, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Cox seconding,

That an humble address be presented to His Excellency the Governor, enquiring what steps, if any, have been taken towards complying with a Resolution of this Council passed last Session, respecting the Indian Reserves on the Lower Fraser.

On the question being put, the Council divided.

*Ayes 17. Noes 3.*

So it was carried, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Macdonald moved, the Hon. Mr. Helmcken seconding,

That an address be presented to His Excellency, praying the Returns be forwarded to this House, shewing the amount of money disbursed for School purposes on the Mainland for the year 1867, also the arrears of Salary or other allowance, if any, due to the Teachers up to the 31st December, 1867.

On the question being put it was carried unanimously and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Macdonald moved, the Hon. Mr. Helmcken seconding,

That an address be presented to His Excellency the Governor, praying that the balance of \$6,000 appropriated for School purposes in Vancouver Island, be placed at the disposal of the Board of Education forthwith.

On the question being put it was carried unanimously and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 3 o'clock to-morrow.

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### Friday, the 27th day of March, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, O'Reilly, Cox, Elwyn, Macdonald, Smith, Walkem, Barnard, Robson, Wood, Helmcken, DeCosmos, Stamp.

The Minutes of the Previous Meeting were read and confirmed.

The Hon. Mr. Helmcken presented a Petition from certain members of the Legal Profession in the Colony.<sup>1</sup>

Ordered that the same be received and read.

Read accordingly.

Ordered that the same do lie on the table.

The Hon. Mr. Helmcken presented a Petition from certain proprietors of Orchards, Gardeners, and Farmers, in Vancouver Island.<sup>2</sup>

Ordered that the same be read.

Read accordingly.

Ordered that the Petition do lie on the table.

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<sup>1</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1868, p. i.

<sup>2</sup> *Ibid.*, pp. i–ii.

The Hon. Mr. Helmcken presented a Petition from certain Merchants of the Colony.<sup>3</sup>

Ordered that the same be read.

Read accordingly.

Ordered that the Petition do lie on the table.

The Hon. Mr. Barnard presented a Petition from certain Settlers on the Buonaparte River.<sup>4</sup>

Ordered that the same be read.

Read accordingly.

Ordered that the said Petition do lie on the table.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. De Cosmos moved, the Hon. Mr. Stamp seconding,

That His Excellency the Governor be respectfully requested to lay before the Council a Return shewing the number of pre-emptions on the Crown Lands in 1867; and also the number of acres pre-empted, sold, and leased; and also the total Revenue derived in 1867 from the pre-emption, sales, and leases of Crown Lands made in that year; and also enumerating the different sections of the Colony in which Crown Lands have been pre-empted, sold, or leased in 1867.

On the question being put, it was carried unanimously, and Ordered accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. DeCosmos,

On the motion of the said Hon. Member, Ordered that the same be postponed till Wednesday.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding,

That an humble address be presented to His Excellency the Governor, enquiring whether any official Report has been prepared upon the probable route through British Columbia of the proposed Overland Road to Canada, and requesting that copies of such Report (if any), together with any official information bearing on the same subject, may be laid before this Council.

On the question being put it was carried unanimously and Ordered accordingly.

On the Order of the day being read for the second reading of the Supreme Court Bill, a debate arose.

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<sup>3</sup> *Ibid.*, p. ii.

<sup>4</sup> *Ibid.*, pp. ii-iii.

The Hon. Mr. Helmcken moved, the Hon. Mr. Walkem seconding,  
That the further consideration of the Bill be postponed till Thursday next.  
On the question being put it was carried unanimously and Ordered accordingly.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 3 o'clock on Monday next.

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### Monday, the 30th day of March, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Cox, Ball, O'Reilly, Elwyn, De Cosmos, Helmcken, Wood, Robson, Smith.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read, is as follows:

*Message No. 1.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Despatch with enclosures from Her Majesty's Secretary of State, directing him to come to a decision as to the selection of a Seat of Government for the United Colony of British Columbia. He adds a copy of his reply.<sup>5</sup>

The Governor would feel greatly obliged by the Honorable Council assisting him with their advice on the subject. He wishes it to be clearly understood that Honorable Members holding Official positions are requested freely to pronounce their opinion.

*Government House,  
30th March, 1868.*

Ordered that the Message, with the Despatch of the Secretary of State, and the Governor's reply be printed, and that the Message be taken up on Thursday next.

The Hon. Mr. Helmcken gave 3 notices of motion.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Robson introduced the Fence Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered that the second reading be called on by the motion of the Hon. Member introducing the Bill.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Helmcken seconding,

This His Excellency the Governor be respectfully requested to lay before the Council the correspondence (if any) with the Canadian and Imperial

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<sup>5</sup> *Ibid.*, p. iii.



Governments, respecting the admission of this Colony into the Dominion of Canada.

On the question being put it was carried unanimously and Resolved accordingly.

Pursuant to the Order of the day, the Council went again into Committee on the Weights and Measures Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported the Bill complete without amendments.

Ordered that the report be adopted, and that the Bill be read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Naval and Victualling Stores Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Trutch, Chairman of the Committee, reported the Bill complete without amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

On the question of the second reading of the Mortgages Bill being put, the Council divided.

*Ayes 6. Noes 4.*

So it was carried in the affirmative, and the Bill was read second time accordingly.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Intestate Estate Sales Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that considerable progress had been made with the Bill, and asked leave to sit again.

Ordered that leave be granted. The further consideration of the Bill in Committee to be called on by the Hon. Attorney General, by motion.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 3 o'clock to-morrow.

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### **Tuesday, the 31st day of March, 1868.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, O'Reilly, Cox, Wood, Smith, Barnard, Robson, DeCosmos, Helmcken.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Barnard gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Attorney General, Whether the Gulf of Georgia, north of the 49th parallel, and Johnson's Straits are exclusively British waters or not?

And whether Foreign vessels have any right to pass through Johnson's Straits? If so, by virtue of what authority? If not, whether it is the intention of the Government to assert our exclusive right to the navigation of Johnson's Straits?

The Hon. the Attorney General replied.

On the Order of the day being read for the Committal of the Limitation of Suits Bill,

The Hon. Mr. Helmcken moved that the Council go into Committee this day six months on the said Bill.

On the question being put the Council divided.

*Ayes 3, Noes 9.*

So the motion was lost.

The original question having been put and carried,

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete, without amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Weights and Measures Bill was read the third time.

Ordered that the said Bill do pass, and that its title be "The Weights and Measures Ordinance, 1868."

Pursuant to the Order of the day, the Naval and Victualling Stores Bill was read the third time.

Ordered that the said Bill do pass, and that its title be "The Naval and Victualling Stores Ordinance, 1868."

On the question of the committal of the Mortgages Bill being put, the Council divided.

*Ayes 6. Noes 3.*

So it was carried in the affirmative.

The Council went into Committee on the said Bill accordingly.

The Committee rose without a report, and the Presiding Member resumed the Chair.

So the Mortgages Bill lapsed.

The Hon. Mr. Robson moved the adjournment till 3 o'clock to-morrow.

The Hon. Mr. DeCosmos moved in amendment till 11 o'clock on Thursday next.

The amendment having been put and carried, the Council adjourned accordingly till 11 o'clock a. m., on Thursday.

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## Thursday, the 2nd day of April, 1868.

The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Ker, Trutch, O'Reilly, Cox, Ball, Elwyn, Smith, Robson, Macdonald, Helmcken, DeCosmos, Walkem, Wood, Barnard, Spalding, Pemberton, Stamp.

The Minutes of the previous Meeting were read and confirmed.

The Hon. the Presiding Member produced a *Dedimus Potestatem* from his Excellency the Governor, empowering him to swear in Members of Council during the Session.

The same was read aloud by the Presiding Member, as follows:

L.S.

FREDERICK SEYMOUR.

*To William Alexander George Young, Esquire, Presiding Member of the Legislative Council of British Columbia, and whom else it may concern;*

*Greeting.*

KNOW YE that FREDERICK SEYMOUR, ESQUIRE, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said William Alexander George Young, and under and by virtue of all powers and authorities him the said Frederick Seymour, as such Governor, in that behalf enabling, hath appointed, and by these presents doth give and grant unto, the said William Alexander George Young, full power and authority to administer the customary oath to Members of the Legislative Council, during the present Session.

GIVEN under my hand and seal, at New Westminster, British Columbia, this second day of April, A D. 1868, and in the thirty-first year of Her Majesty's Reign.

The Hon. the Attorney General then introduced a new Member of Council, Warner Reeve Spalding, Esquire, to whom the Hon. the Presiding Member administered the customary Oath of Allegiance and Office.

The Hon. Mr. Spalding then took his seat at the Council.

Pursuant to the Order of the day, the consideration of His Excellency the Governor's Message No. 1 was taken up.

The Hon. Mr. Walkem moved, the Hon. Mr. Stamp seconding:

That this Council having been requested by His Excellency the Governor to assist him with their advice in coming to a decision as to the selection of a Seat of Government for the United Colony of British Columbia, is of opinion, after careful consideration of His Excellency's Message and its Enclosures on the subject, that Victoria is the place most suitable for the Seat of Government of the United Colony.

Moved in amendment by the Hon. Mr. Robson, the Hon. Mr. Barnard seconding:

Whereas it is highly probable that this Colony will very shortly form a part of the new Dominion of Canada;

And, whereas, under Confederation the Seat of Government will naturally gravitate towards the centre of population on the Mainland;

And, whereas, a considerable expenditure of Revenue would be involved in the removal of the Seat of Government to Victoria;

And, whereas, reaction has already set in on the Mainland against the removal of the Seat of Government to Victoria;

And, whereas, it is probable that were the Seat of Government now removed to Victoria, the people on the Mainland would be found, in less than twelve months, petitioning for its restoration to the Mainland;

And, whereas, the frequent removal of the Seat of Government involves great expense and inconvenience, and exerts a most injurious influence upon the public mind, by keeping up a continual agitation upon the subject, and destroying confidence;

And, whereas, the Constitution of this Council is not of that representative character which should entitle it to deal with such a question as the removal of the Seat of Government, where it has been established by Law;

And, whereas, there is every reason to believe that a dissolution of this Council and a direct appeal to the Country would demonstrate that a large majority of the *bona fide* Colonists are averse to the removal of the Seat of Government to Victoria;

And, whereas, the removal of the Seat of Government from where it is at present established would inflict serious injury upon an important community of British Subjects, without securing any compensating advantages to the Colony at large;

Be it therefore Resolved;

That this Council is of opinion that it would be inexpedient to remove the Seat of Government, at least until the Colony shall possess such full powers of self Government as will render its Legislature competent to deal with the question, and such fixity of population and permanent interests as may indicate, with some degree of clearness, a site which would prove to be permanently suitable.

Whereupon a debate arose.

On the amendment being put, the Council divided.

*Ayes* 5.

Messrs. Crease,  
Hamley,  
Barnard,  
Robson,  
Ball.

*Noes* 14.

Messrs. Smith,  
Spalding,  
Ker,  
Elwyn,  
Wood,  
Walkem,  
Macdonald,  
Helmcken,  
DeCosmos,  
Stamp,  
Pemberton,  
Cox,  
O'Reilly,  
Trutch.



The names having been taken down by the Clerk, pursuant to request.  
So the amendment was lost.

The Hon. Mr. Robson rose to speak to a question of privilege.

The Hon. the Presiding Member ruled that it could not be brought before the Council until after the question now before it was disposed of.

On the original question being put, the Council again divided.

*Ayes 14.*

Messrs. Smith,  
Spalding,  
Ker,  
Elwyn,  
Wood,  
Walkem,  
Macdonald,  
Helmcken,  
DeCosmos,  
Stamp,  
Pemberton,  
Cox,  
O'Reilly,  
Trutch.

*Noes 5.*

Messrs. Crease,  
Hamley,  
Barnard,  
Robson,  
Ball.

The names having been taken down by the Clerk, pursuant to request.  
So it was carried in the affirmative, and Resolved accordingly.

The Hon. Mr. Robson rose to speak to a question of privilege.

On the motion of the Hon. Mr. Helmcken, Ordered that the House be cleared of strangers.

House cleared accordingly.

On the question of privilege having been decided on, the Hon. Mr. Helmcken moved that the motion standing in his name be considered at a later period.  
Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the Petition relating to an increase of the Duties of Customs upon Fruits, &c., be referred to His Excellency the Governor.

On the question being put the Council divided.

*Ayes 11, Noes 1.*

So it was carried in the affirmative, and Resolved accordingly.

On the motion of the Hon. Mr. Trutch, the Council adjourned during pleasure.

The Council having resumed its sitting,

On the Order of the day being read for the second reading of the Supreme Court Bill,

The Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the said Bill be referred to a Select Committee, to be named by the Presiding Member.

On the question being put the Council divided.

*Ayes 14, Noes 3.*

So it was carried in the affirmative, and Ordered accordingly.

The Presiding Member appointed the following Hon. Members accordingly:  
The Hon. Messrs. Ball, Wood, Walkem, DeCosmos, Robson.

On the Order of the day being read for the third reading of the Limitation of Actions Bill,

The Hon. Mr. Helmcken moved, the Hon. Mr. Walkem seconding,

That the Bill be read third time this day six months.

On the question having being put the Council divided.

*Ayes 3, Noes 11.*

So the amendment was lost.

The Hon. Mr. DeCosmos moved the Hon. Mr. Macdonald seconding,

That the said Bill be recommitted.

On the question being put, the Council divided.

*Ayes 11. Noes 2.*

So it was Resolved in the affirmative, and Ordered accordingly to be recommitted tomorrow.

On the Order of the day being read for the motion on the alteration of the constitution of the Council,

On the motion of the Hon. Mr. DeCosmos, Ordered that the same be postponed.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Robson seconding,

That the construction of a Waggon Road between Goldstream and Cowichan, by way of Sayward's Saw-mill, Mill Creek, being urgently required, it is desirable that the convict labour be employed thereon, for the formation and completion thereof.

On the question being put the Council divided.

*Ayes 8, Noes 6.*

So it was carried in the affirmative, and Resolved accordingly.

On the Order of the day being read for the motion of the Hon. Mr. Helmcken on the Vancouver Island Road Act being applied to the New Westminster District,

Ordered that the same be postponed till Monday next.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding,

That an humble address be presented to His Excellency the Governor, asking that a careful survey be made during the ensuing summer, in order to ascertain the best route for the extension of the Pitt River Road, on the north side of Fraser River, as far as St. Mary's Mission, with a view to its ultimate

extension to the head of navigation on the Lower Fraser; and that so soon as a final survey shall have been made, the road shall be laid off in sections, of say one mile each, and given out to contract, payment for the same to be made one-third in money and two-thirds in Land Scrip to be issued by the Government.

On the question being put it was carried unanimously, and Resolved accordingly.

On the Order of the day being read for a motion standing in the Hon. Mr. Barnard's name, in regard to Road Tolls,

Ordered that the same be postponed till to-morrow.

On the motion of the Hon. Mr. Robson, Ordered that the Standing Orders be suspended.

Standing Orders suspended accordingly.

The Hon. Mr. Robson then presented a Petition from the Howe Sound Copper Company.<sup>6</sup>

Ordered that the same be received and read.

Read accordingly.

Ordered that the same be considered to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 o'clock to-morrow.

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### Friday, the 3rd day of April, 1868.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Ker, Elwyn, Cox, Robson, Ball, DeCosmos, Smith, Macdonald, Spalding, Stamp, Wood, Pemberton, Helmcken, Walkem.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Macdonald gave notice of motion.

The Hon. Mr. Smith gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Robson rose to speak to a question of privilege.

On the motion of the Hon. Mr. Helmcken, Ordered that the House be cleared of strangers.

House cleared accordingly.

The question having been decided, Ordered that the doors be thrown open.

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<sup>6</sup> *Ibid.*, pp. iii-iv.

On the Order of the day being read for a motion, in reference to Road Tolls, standing in the name of the Hon. Mr. Barnard,  
Ordered that the same be postponed till Monday.

On the Order of the day being read for the recommittal of the Limitation of Actions Bill,

The Hon. Mr. Helmcken moved that the recommittal be postponed till Wednesday next.

On the question being put the Council divided.

*Ayes 12, Noes 5.*

So it was carried in the affirmative and Ordered accordingly.

On the Order of the day being read for the consideration of the Petition of the Howe Sound Copper Company,

On the motion of the Hon. Mr. Robson, the Hon. Mr. Crease seconding,  
Ordered that the Council do go into Committee on the same.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, handed in the following Resolutions for the adoption of the Council:—

1. That this Committee is of opinion that some general law regulating the acquisition of Mineral Lands is urgently required.

2. That the Petition of the Howe Sound Copper Company be referred to the Executive, with the recommendation that the Company be permitted to purchase, at the upset price of one dollar per acre, a tract of land suited to their purposes.

On the question of the adoption of these Resolutions being put it was carried in the affirmative, and Resolved accordingly.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 3 o'clock p. m. on Monday, the 6th instant.

### Monday, the 6th day of April, 1868.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, Elwyn, Cox, DeCosmos, Robson, Smith, Wood, Spalding.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 2.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Report from the Chief Commissioner of Lands and Works, shewing the progress of the efforts making in this Colony to procure a direct communication with Canada.<sup>7</sup>

*Government House,  
6th April, 1868.*

<sup>7</sup> *Ibid.*, pp. iv–viii.



A further Message from His Excellency the Governor, read as follows:

*Message No. 3.*

FREDERICK SEYMOUR.

The Governor has to acknowledge the receipt of the Resolution from the Legislative Council, passed on the 30th March, requesting him to lay before the Council the correspondence with the Imperial and Canadian Governments respecting the admission of this Colony into the Dominion of Canada.

He does not feel justified in forwarding to the Council the reports he has received of conversations with the Governor of Canada, which were not of a strictly official nature.

He used in the address with which he opened the Session the precise words of Her Majesty's Secretary of State, on the subject of confederation with the Eastern Provinces.

*Government House,  
6th April, 1868.*

The Hon. Mr. Wood gave notice of motion.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, on the subject of Free Trade on the North-west Coast,  
Ordered that the same be postponed.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked leave to introduce the Investment Saving Bill.

Ordered that leave be granted.

The Hon. Member accordingly presented a copy of the said Bill, and moved that the same be now read first time.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for Thursday, the 16th instant.

On the Order of the day being read for a question to be asked by the Hon. Mr. Macdonald of the Acting Colonial Secretary,  
Ordered that the same be postponed.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, on the subject of the V. I. Road Act,  
Ordered that the same be postponed.

On the Order of the day being read for a question to be asked by the Hon. Mr. Smith of the Acting Colonial Secretary,  
Ordered that the same be postponed till Wednesday, the 15th instant.

Pursuant to the Order of the day, the Hon. Mr. Robson moved (for the Hon. Mr. Barnard, absent), the Hon. Mr. De Cosmos seconding,

That an humble address be presented to His Excellency the Governor, enquiring whether it is the intention of the Government, pursuant to a Resolution passed by this Council during last Session, to abolish the Road Tolls, either in whole or in part, during the present year.

On the question being put it was carried unanimously and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, in reference to certain Petitions relating to a Court of Appeal  
Ordered that the same be postponed.

Then, on the motion of the Hon. Mr. Wood, the Council adjourned till Wednesday, the 15th Instant, at 3 o'clock.

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### Wednesday, the 15th day of April, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, O'Reilly, Cox, DeCosmos, Helmcken, Elwyn, Robson, Spalding, Walkem, Wood, Smith.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos presented a Petition from certain inhabitants of the District of Saanich.<sup>8</sup>

Ordered that the same be received and read.

Read accordingly.

Ordered that the said Petition be considered to-morrow.

The Hon. Mr. Wood presented a Petition from certain Fire Insurance Agents and Merchants at Victoria.<sup>9</sup>

Ordered that the same be received and read.

Read accordingly.

Ordered to be considered to-morrow.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

The Hon. the Acting Colonial Secretary gave notice that he would introduce the Estimates on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the progress and prosperity of the country would be promoted were a portion of land, conveniently situated, upon the northern extremity of the North-west Coast, marked off, dedicated, and devoted to the prosecution of Free Trade in certain articles required by and suited to the nature of the commerce of that section of the Colony.

That this Council earnestly recommends the Executive to carry out the spirit and intention of the above Resolution, in such manner and under such conditions it may deem advisable or expedient.

Whereupon a debate arose.

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<sup>8</sup> *Ibid.*, p. ix.

<sup>9</sup> *Ibid.*, p. ix.

The Hon. Mr. Walkem moved that the debate on this motion be postponed till Wednesday.

The Hon. Member then asked leave to withdraw the said motion for postponement.

On the question of leave to withdraw the same being put, the Council divided.

*Ayes 12. Noes 3.*

So it was carried in the affirmative, and Ordered accordingly.

Motion for postponement of debate withdrawn accordingly.

On the original question being put, the Council again divided.

*Ayes 3. Noes 12.*

So it passed in the negative, and the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Helmcken (in the absence of the Hon. Mr. Macdonald) asked the Hon. the Acting Colonial Secretary whether the Contract for carrying the Mails from New Westminster to the Upper Country has been given out, and if so, to whom, for what term, and on what conditions?

The Hon. Mr. Young replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That in the opinion of this Council the extension of the Vancouver Island Road Act to the Districts immediately surrounding New Westminster, would be advantageous.

The Hon. Mr. Crease moved in amendment, the Hon. Mr. Trutch seconding,

That in the opinion of this Council the introduction of a general Road Act on the principle of the existing Vancouver Island Road Act, amended to apply to the whole Colony, is desirable.

Whereupon a debate arose.

On the amendment being put the Council divided.

*Ayes 7, Noes 8.*

So it passed in the negative, and the amendment was lost.

On the original question being put the Council again divided.

*Ayes 10, Noes 5.*

So it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Smith asked the Hon. the Acting Colonial Secretary if any provision has been made for the transmission of regular Mails between Victoria and the Kootenay and Columbia Districts? and if none, to ask that a sum of not less than \$3,000 be placed on the Estimates for that purpose.

The Hon. Mr. Young replied.

Pursuant to the Order of the day, the Hon. Mr. Wood asked the Hon. the Attorney General whether it is the intention of the Government, during the present

Session, to proceed further with the assimilation of the laws of the two former Colonies of British Columbia and Vancouver Island?

The Hon. Mr. Crease replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That the Petitions relating to a Court of Appeal be referred to His Excellency the Governor.

On the question being put, it was carried unanimously, and Resolved accordingly.

On the Order of the day being read for the recommittal of the Limitation of Actions Bill.

On the motion of the Hon. Mr. DeCosmos, the Council adjourned till 3 o'clock to-morrow.

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### Thursday, the 16th day of April, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Ker, Elwyn, Cox, Robson, Ball, DeCosmos, Smith, Spalding, Wood, Helmcken, Walkem.

The Minutes of the previous Meeting were read and confirmed.

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Ball, Chairman of the Select Committee appointed to report on the Supreme Court Bill, handed in a Report,

Ordered that the same be read.

Read accordingly as follows:—

Your Committee having taken into consideration the subject of the Supreme Court Bill, beg to report that in their opinion the Bill in question in no way meets the requirements of the Colony, and that they have, in consequence, prepared a Bill establishing a single Supreme Court, and abolishing the present inconvenient anomaly of two distinct Courts, which Bill they request may become law.

They further recommend that the Bill now before the House be modified so as to confine its provisions to the removal of doubts as to the status of the Supreme Court of Vancouver Island.

(Signed) H. M. BALL,  
Chairman.

Ordered that the Report be printed, and considered on Monday next.

On the Order of the day being read for the second reading of the Loan Societies Bill, a debate arose.

Which having terminated, and the question being put, the Council divided.

*Ayes 12, Noes 2.*



So it was carried in the affirmative, and the Bill was read second time.  
Ordered to be committed on Tuesday next.

On the Order of the day being read for the consideration of the Petition from the Saanich settlers,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Helmcken seconding,

That the Petition of the Settlers of Saanich and Lake Districts, respecting the improvement of Saanich Road, be referred to His Excellency the Governor, requesting that a sum of \$5,000 be placed on the Estimates to carry out the prayer of the Petitioners.

The Hon. the Chief Commissioner moved in amendment, the Hon. Mr. Ball seconding,

That the words "requesting," to the end of sentence, be omitted, and that there be substituted the words "with a recommendation that it be favourably considered."

On the Resolution as amended being put, it was carried unanimously, and Resolved accordingly.

On the Order of the day being read for the consideration of the Petition from certain Fire Insurance Agents and Merchants in Victoria,

The Hon. Mr. Wood moved, the Hon. Mr. Walkem seconding,

That the Petition from sundry Fire Insurance Agents and others, be referred to His Excellency the Governor, with the recommendation that the Magistrates throughout the Colony should be clothed with powers to enable them to hold Inquests upon Fires.

On the question being put it was carried unanimously, and Resolved accordingly.

On the Order of the day being read for the consideration of a Petition from certain Settlers on the Buonaparte River.

The Hon. Mr. Robson moved, the Hon. Mr. Helmcken seconding,

That the Petition from Settlers in the Buonaparte District respecting the Indian Reserves be transmitted to His Excellency the Governor, with the recommendation that the prayer may be granted.

On the question being put it was carried unanimously and Resolved accordingly.

Pursuant to the Order of day, the Hon. Mr. Robson moved, the Hon. Mr. DeCosmos seconding,

That an humble address be presented to His Excellency the Governor, requesting that copies of official reports, or any other official information, upon the proposed new cut of the Cariboo Road, *via* Williams Lake, may be laid before this Council.

On the question being put, the Council divided.

*Ayes 3. Noes 12.*

So it passed in the negative, and the Resolution was lost.

On the Order of the day being read for a motion standing in the name of the Hon.

Mr. Walkem,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Withdrawn accordingly.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 3 o'clock to-morrow.

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### Friday, the 17th day of April, 1868.

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, O'Reilly, Ball, Wood, Robson, DeCosmos, Helmcken, Elwyn, Spalding, Walkem.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 4.*

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council, passed on the 26th March, the Governor forwards a Return shewing the amount of money disbursed for School purposes on the Mainland for the year 1867.<sup>10</sup>

*Government House,  
16th April, 1868.*

Ordered that the same be printed.

A further Message from His Excellency the Governor, read as follows:

*Message No. 5.*

FREDERICK SEYMOUR.

In accordance with the desire expressed by the Legislative Council, the Governor lays before the House copy of a Report which he has received from the Chief Commissioner of Lands and Works, respecting the Indian Reserves on the Lower Fraser.<sup>11</sup>

*Government House,  
17th April 1868.*

Ordered that the same be printed.

The Hon. Mr. Robson presented the Petition of Samuel Weaver Herring.

Ordered that the same be received and read.

Read accordingly.

Ordered that the same be considered on Monday next.

The Hon. Mr. Helmcken gave a notice of motion.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Trustees' Relief Bill.

Ordered that leave be granted.

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<sup>10</sup> *Ibid.*, p. ix.

<sup>11</sup> *Ibid.*, p. x.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Second reading ordered for Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked leave to introduce the Barristers' and Attorneys' Bill.

Ordered that leave be granted, and that the Bill be read first time at once.

Read first time accordingly.

The Hon. Mr. DeCosmos moved that the said Bill be read second time on Wednesday next.

The Hon. the Attorney General, in amendment, for Friday next.

On the amendment being put, the Council divided.

*Ayes 6, Noes 6.*

Which being a tie vote, the Presiding Member cast his vote in the negative. So the amendment was lost.

On the original question being put, the Council again divided.

*Ayes 9, Noes 3.*

So it was carried in the affirmative, and Ordered that the said Bill be read second time on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in the Sisters of St. Ann's Society Bill.

Ordered that leave be granted, and that the Bill be read first time at once.

Read first time accordingly.

Second reading ordered for Monday next.

On the Order of the day being read for the recommittal of the Limitation of Actions Bill,

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete.

The Hon. the Attorney General moved that the said Bill be now read third time.

The Hon. Mr. Walkem moved in amendment, the Hon. Mr. Robson seconding,

That the words in Clause 1 "and the Extension of Limitations of Foreign Actions Act, 1861," be struck out.

On the amendment being put the Council divided.

*Ayes 9, Noes 3.*

So it passed in the affirmative, and was Ordered accordingly.

Ordered that the Bill as amended be read a third time.

Read third time accordingly, and Resolved that this Bill do pass, and its title be "The Limitation of Actions Ordinance, 1868."

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 1 o'clock on Monday next.

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**Monday, the 20th day of April, 1868.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Cox, Ball, O'Reilly, Elwyn, DeCosmos, Helmcken, Wood, Robson, Smith, Spalding.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Hon. the Acting Colonial Secretary introduced the Estimates for 1868.

Ordered that the same be printed, and that the Council do go into Committee of Supply on Wednesday next.

On the Order of the day being read for the consideration of the Report of the Select Committee on the Supreme Court Bill,

Ordered that the consideration of the same be deferred till Wednesday next.

On the Order of the day being read for the consideration of the Petition of Samuel Weaver Herring,

The Hon. Mr. Robson moved that the Council do go into Committee on the same.

Ordered accordingly.

The Presiding Member resumed the Chair, the Committee having risen without sending in a report.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Robson seconding,

That this Council would recommend to the consideration of the Executive, the expediency and advisability of opening at least a trail (practicable for laden mules) through the Eagle Pass.

On the question being put it was carried unanimously and Resolved accordingly.

Pursuant to the Order of the day, the Sisters of Saint Ann's Society Incorporation Bill was read the second time.

Ordered to be committed to-morrow.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 3 o'clock to-morrow.

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**Tuesday, the 21st day of April, 1868.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, Elwyn, O'Reilly, Cox, DeCosmos, Helmcken, Smith, Wood, Spalding.

The Minutes of the previous Meeting were read over and confirmed.



The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

On the Order of the day being read for the Committal of the Investment Loan Bill.

On the motion of the Hon. Mr. DeCosmos, Ordered that the same be postponed till to-morrow.

Pursuant to the Order of the day, the Trustees' Relief Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with certain amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 6.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Return that he has caused to be prepared, shewing the Duties of Customs levied on certain staple articles in British Columbia, Great Britain, the United States, Canada, and other principal British Colonies.

The Return will be interesting to the Honorable Council. It is not, however, the Governor's intention to introduce any measure for altering the Duties of Customs during the present Session.

*Government House,  
21st April, 1868.*

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Robson,

The Hon. Member being absent, the motion was dropped.

Pursuant to the Order of the day, the Council went into Committee on the Sisters of St. Ann's Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported that he had been directed to enquire of the Hon. the Presiding Member if an amendment proposing to leave out all words in the first Section of the Bill before the Committee after the first word "That" was in order.

The Hon. the Presiding Member ruled that such amendment was in order, there being no rule to the contrary in the Standing Orders governing the proceedings of the Council.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding reported the Bill complete with certain amendments.

Ordered that the report be adopted, and that the Bill be read third time to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock to-morrow.

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**Wednesday, the 22nd day of April, 1868.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, O'Reilly, Cox, DeCosmos, Helmcken, Elwyn, Robson, Spalding, Walkem, Wood, Smith, Stamp, Pemberton.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos presented a Petition from certain Barristers and Attorneys.<sup>12</sup>

Ordered that the same be received and read.

Read accordingly.

Ordered that the same do lie on the table.

The Hon. Mr. DeCosmos presented a Petition from the Mayor and Corporation of Victoria.<sup>13</sup>

Ordered that the same be received and read.

Read accordingly.

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended, to enable him to ask leave to introduce a Bill to carry out the prayer of the Petition just presented.

Ordered accordingly, and Standing Orders suspended.

The Hon. Member asked leave to bring in the Victoria Patent Slip Bill.

Ordered that leave be granted.

The Hon. Member accordingly introduced the said Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Friday.

The Hon. Mr. Helmcken gave notice of 2 motions.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Stamp gave notice of 2 motions.

On the Order of the day being read for the second Reading of the Barristers' Bill, The Hon. Mr. Wood moved that the Bill be read second time this day six months.

Whereupon a debate arose.

Which having terminated, and the amendment being put, the Council divided.

*Ayes 3, Noes 14.*

So the amendment was lost.

Ordered that the said Bill be now read second time.

Read second time accordingly.

Ordered to be committed to-morrow.

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<sup>12</sup> *Ibid.*, p. xi.

<sup>13</sup> *Ibid.*, p. xi.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked leave to introduce the Drawbacks Bill.

Ordered that leave be granted, and that the Bill be read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for the Council to go into Committee of Supply,

On the motion of the Hon. Mr. Helmcken, Ordered that the same do stand first on the Order of the day for to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Supreme Court Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported certain progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Fire Inquest Bill.

Ordered that the said Bill be now read first time.

Read first time accordingly.

Ordered to be read the second time on Friday.

On the motion of the Hon. the Attorney General, Ordered that the third reading of the Trustees' Relief Bill be taken next in order.

Bill read third time accordingly, and Resolved that this Bill do pass, and its title be the "Trustees' Relief Ordinance, 1868."

On the motion of the Hon. Mr. Helmcken, Ordered that the third reading of the St. Ann's Society Bill be taken next in order.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and that its title be "The Sisters of St. Ann Ordinance, 1868."

On the Order of the day being read for a motion in the name of the Hon. Mr. Helmcken.

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 1 o'clock to-morrow.

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### **Thursday, the 23rd day of April, 1868.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Ker, Trutch, O'Reilly, Cox, Ball, Elwyn, Smith, Robson, Helmcken, DeCosmos, Walkem, Pemberton, Wood, Spalding, Stamp.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 7.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance to establish a standard of Weights and Measures."

*Government House,  
22nd April, 1868.*

A further Message from His Excellency, read as follows:—

*Message No. 8.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, in Her Majesty's name, to a Bill entitled "An Ordinance for the more effectual protection of Her Majesty's Naval and Victualling Stores."

*Government House,  
22nd April, 1868.*

A further Message from His Excellency, read as follows:—

*Message No. 9.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Petition he has received from the Municipal Council, New Westminster, praying for a compensation on the removal of the Capital of the United Colony from that City.<sup>14</sup>

The Governor personally sympathizes deeply with all those who suffer loss or disappointment by the altered circumstances of the Colony.

*Government House,  
23rd April, 1868.*

Ordered that the enclosure be printed.

A further Message from His Excellency, read as follows:—

*Message No. 10.*

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, passed on the 27th of March, the Governor forwards a Return shewing the number of Pre-emptions upon Crown Lands in 1867, and also the number of acres sold and leased; and also the total Revenue derived in 1867 from pre-emptions, sales, and leases of Crown Lands made in that year; and also enumerating the different sections of the Colony in which Crown Lands have been pre-empted, sold, or leased in 1867.<sup>15</sup>

*Government House,  
23rd April, 1868.*

The Hon. Mr. Walkem presented a Petition from the Cherry Creek Silver Company.<sup>16</sup>

Ordered that the same be received and considered to-morrow.

The Hon. Mr. Pemberton gave 2 notices of motion.

Pursuant to the Order of the day, the Council went into Committee of Supply.

<sup>14</sup> *Ibid.*, p. xii.

<sup>15</sup> *Ibid.*, p. xii.

<sup>16</sup> *Ibid.*, p. xiii.



On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted, and Resolutions passed, and asked leave to sit again.

Department of Governor .....	\$2,550 00
Legislative Council .....	900 00
Colonial Secretary .....	8,680 00
Treasurer .....	4,800 00
Auditor General .....	5,050 00
Chief Commissioner of Lands and Works .....	4,590 00
Customs .....	12,926 80
Registrar General .....	785 00
Harbour Master .....	1,800 00
Post Office .....	2,200 00
Supreme Court .....	3,450 00
Attorney General .....	500 00
High Sheriff .....	750 00

Resolved, That this Council recommend that so soon as may be the offices of Registrar General of British Columbia and Stipendiary Magistrate of New Westminster be amalgamated.

Resolved, That this Council recommend that the salary of the Postmaster of Victoria be \$2,000 instead of \$1,450.

Resolved, That this Council recommend that the allowance for clerical assistance in the Attorney General's Office be \$1,000, and that the word "Clerk" be substituted for "Clerical assistance."

Ordered that the Report of the Committee of Supply be adopted, and that leave be granted for the Committee to sit again to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to introduce the Hudson's Bay Titles Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Second reading ordered for to-morrow.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Walkem,

Ordered that the same be discussed in Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Stamp asked if it is the intention of the Government to grant relief to Saw-mills, by Drawback on lumber exported from the Colony, equal to the duties paid on goods consumed in the production of such lumber, or otherwise?

In reference to which the Hon. Mr. Helmcken moved, the Hon. Mr. De-Cosmos seconding,

That this Council is of opinion that the subject of Drawbacks on Lumber should receive the earnest attention of the Government.

On the question being put, it was carried unanimously, and Resolved accordingly.

A Message from His Excellency the Governor, which being read, is as follows:—

*Message No. 11.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, in accordance with a Resolution passed on the 23rd March, a Return giving a Comparative Statement of the Civil List of British Columbia in 1863, and that for the United Colony in 1867; the Returns in the latter case indicating the appointments rendered necessary by the incorporation of Vancouver Island with the Mainland.<sup>17</sup>

*Government House,  
23rd April, 1868.*

Ordered to be printed.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That an address be presented to His Excellency the Governor, praying that he will inform this Council of the reply of Her Majesty's Government to a Resolution passed April 2nd, 1867, in answer to His Excellency's Message No. 32.

On the question being put it was carried unanimously and Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Stamp asked the Hon. the Acting Colonial Secretary, what steps, if any, have been taken by the Government of this Colony towards the formation of a Dry Dock at Esquimalt, or any other part of the Colony.

The Hon. the Acting Colonial Secretary replied.

In reference to this question, the Hon. Mr. Stamp moved, the Hon. Mr. DeCosmos seconding,

That an humble address be presented to His Excellency the Governor, to inquire what steps, if any, have been taken by the Government of this Colony, towards the formation of a Dry Dock at Esquimalt, or any other part of the Colony.

On the question being put it was carried unanimously and Resolved accordingly.

On the Order of the day being read for the second reading of the Fence Bill.

Ordered that the same be postponed till to-morrow.

Then, on the motion of the Hon. Mr. DeCosmos the Council adjourned till 1 p. m. to-morrow.

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### Friday, the 24th day of April, 1868.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, Ker, Spalding, Cox, Wood, Ball, O'Reilly, Smith, Walkem, Helmcken, DeCosmos, Stamp, Robson, Pemberton, Elwyn.

The Minutes of the previous Meeting were read and confirmed.

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<sup>17</sup> *Ibid.*, p. xiii–xv.

The Hon. Mr. Helmcken gave notice of motion.

On the Order of the day being read for the motion on Confederation, standing in the name of the Hon. Mr. DeCosmos.

Ordered that the same be considered later in the day.

On the Order of the day being read for the second reading of the Drawback Bill.

A debate arose, which having terminated, and the question being put,

The Council divided.

*Ayes 10. Noes 5.*

So it was passed in the affirmative, and the Bill was read second time accordingly.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Fire Inquest Bill was read second time.

Ordered to be committed on Monday.

On the Order of the day being read for the consideration of the Cherry Creek Silver Mining Company's Petition.

Ordered that the same be considered in Committee.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee reported the annexed Resolution for the adoption of the Council.

Resolved, That this Council recommend that His Excellency be pleased to consider favourably the prayer of the Petition of the Cherry Creek Silver Mining Company, as to the objectionable covenants of the lease.

On the question of the adoption of the above Resolution being put, it was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Pemberton moved, the Hon. Mr. DeCosmos seconding,

That a respectful address be presented to His Excellency the Governor, to enquire whether Her Majesty's pleasure has been signified with regard to the proposed Ordinance respecting the disposal of the Crown Lands, which His Excellency, in his speech of the 2nd April, 1867, stated he would transmit with the Resolutions passed by the Council in favor of a system of Free Grants of Land.

On the question being put it was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Pemberton asked to be informed of the Expenditure and Income of the Assay Office since the date of the last Return made to Council.

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Hudson's Bay Titles Bill was read second time.

Ordered to be committed on Monday next.

On the Order of the day being read for the Council to go into Committee of Supply,  
Ordered that the Council do go into Committee later in the day.

On the Order of the day being read for the second reading of the Fence Bill, the  
Council divided.

*Ayes 6. Noes 5.*

So it passed in the affirmative, and the Bill was read second time.

Ordered to be committed on Monday next.

On the Order of the day being read for the second reading of the Patent Slip Bill,  
Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Barristers' Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with certain amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went into Committee again on the Supreme Court Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Council then adjourned till 8 o'clock p. m.

On the Council resuming its Session,

Pursuant to a deferred Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Stamp seconding,

The following Address to Her Majesty, on the subject of Confederation with the Dominion of Canada:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

*Most Gracious Sovereign:*

We, your Majesty's dutiful and loyal subjects, the Members of the Legislative Council of British Columbia, in Session convened, would most respectfully represent:

I. That in an Act passed in the thirtieth Year of Your Majesty's Reign, entitled "The British North America Act, 1867," provision is made for the admission of British Columbia into the Dominion of Canada.

II. That the 146th Section of the said Act declares that British Columbia may be admitted into the Dominion of Canada, provided that addresses to Your Majesty, containing the terms and conditions of such admission, shall be passed by the Houses of Parliament of Canada and the Legislature of British Columbia.

III. That Your Majesty's dutiful and loyal subjects the Inhabitants of British Columbia, most earnestly desire that such admission may take place without delay, on the terms and conditions hereinafter enumerated.

IV. That, being fully convinced that such admission would, in a marked degree, strengthen British power and influence, and establish more firmly British Institutions in Your Majesty's Possessions in North-west America, and generally throughout all British North America, and faithfully representing as we do the general and expressed wishes of the Inhabitants of this Colony, we earnestly desire that such admission may take place without delay, on the terms and conditions hereinafter enumerated.



V. Therefore, we, Your Majesty's dutiful and loyal subjects, the Members of the Legislative Council of British Columbia, humbly pray that Your Majesty may be graciously pleased to admit, without delay, the Colony of British Columbia into the Dominion of Canada, in accordance with the provisions of "The British North America Act, 1867," and on the terms and conditions following:—

1. The limits of British Columbia, on and after admission, to be the same as at present.

2. The Dominion of Canada to become liable for the Public Debt of British Columbia, and make the same a charge on the Consolidated Revenue Fund, the said Debt not to exceed One million five hundred thousand Dollars (\$1,500,000.)

3. British Columbia to be liable for such portion of her Funded and Floating Debts as may exceed the said \$1,500,000.

4. The Dominion of Canada to pay annually out of her Consolidated Revenue Fund, in semi-annual advances, to British Columbia for the support of her local Government and Legislature, the sum of \$110,000, and also, an Annual Grant in aid of the local Government of British Columbia, equal to Eighty Cents per head of the population of British Columbia, the minimum number of said population, including Indians, not to be estimated at less than 40,000, at any time, and the increase of population after admission to be the increase of population other than Indians, and the said increase of population to be determined by census or otherwise as may from time to time be expedient.

5. All Crown Lands, Mines, Minerals, and Royalties situate in British Columbia at the time of admission, and all sums of money then due or payable, or that may afterwards accrue for such Crown Lands, Mines, Minerals, and Royalties to belong to British Columbia and be under the exclusive control of its Government and Legislature.

6. All Stocks, Cash, Bankers' Balances, and Securities for money belonging to British Columbia, at the time of admission, to be the property of British Columbia.

7. All public Works and Property of British Columbia at the time of admission, to belong to the Colony of British Columbia.

8. The Dominion of Canada to construct within three years after admission of British Columbia, a good Overland Waggon Road extending from Lake Superior, Ontario, to the head of navigation on Lower Fraser River, British Columbia, and to commence the construction of the same through the Rocky Mountains within one year after admission.

9. The Imperial Government to guarantee a Loan to construct the said Overland Road, if deemed expedient.

10. British Columbia to be represented in the Senate by not less than two Members, and in the Commons by not less than three Members, at any time.

11. At the first election of Representatives to the Commons and until otherwise provided by the Parliament of Canada, the Lieutenant Governor of British Columbia to proclaim what shall be the qualifications and disqualifications of Representatives and Electors, the boundaries of Electoral Districts, and the laws governing such Elections.

12. At the time of admission, the Revenue Laws of the Dominion of Canada to extend and apply to British Columbia, and thereupon the Revenue Laws of British Columbia thereby affected to be null and void, and all Duties and Revenues derived in and from British Columbia under the Revenue Laws of the Dominion of Canada to belong to Canada.

13. The exclusive powers of Provincial Legislatures enumerated in the Ninety-second Section of "The British North America Act, 1867," and all other provisions of the said Act that extend and apply generally to the Provinces of the Dominion of Canada and that may be applicable to British Columbia, except as otherwise in this Address provided, to extend and apply to British Columbia, at and from the time of admission.

14. Except as otherwise provided, all Laws in force in British Columbia, at the time of admission, and all Courts of Civil and Criminal Jurisdiction, and all legal Commissions, Powers, and Authorities, and all Officers, Judicial, Administrative, and Ministerial existing therein at the time of admission to continue in British

Columbia as if such admission had not taken place; subject nevertheless to be repealed, abolished, or altered by the Parliament of Canada or by the Legislature of British Columbia, according to the authority of the said Parliament or of the said Legislature, under "The British North America Act, 1867."

15. Until the Parliament of Canada provides otherwise, all Officers of British Columbia, at and from the time of admission, having duties to discharge in relation to matters other than those coming within the Classes of Subjects assigned by "The British North America Act, 1867," to the Provinces, to be Officers of Canada.

16. And generally all such unenumerated provisions, acts, and things as may be necessary to the due and proper execution of the terms and conditions hereinbefore enumerated and to the granting of the Prayer of this Address.

17. And as in duty bound we will ever pray.

The Hon. Mr. Wood moved in amendment, the Hon. Ball seconding,

That this Council, while confirming the vote of last Session in favor of the general principle of the desirability of the union of this Colony with the Dominion of Canada, to accomplish the consolidation of British interests and institutions in North America, are still without sufficient information and experience of the practical working of Confederation in the North American Provinces, to admit of their defining the terms on which such a union would be advantageous to the local interests of British Columbia.

Whereupon a debate arose, which having terminated,

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended, in order to enable him to withdraw his motion.

The question of suspending the Standing Orders having been put and lost, the amendment was put.

The Council divided.

*Ayes* 12.

*Noes* 4.

Messrs. Trutch,

Messrs. Stamp,

O'Reilly,

DeCosmos,

Cox,

Robson,

Wood,

Walkem.

Pemberton,

Helmcken,

Smith,

Elwyn,

Ker,

Ball,

Spalding,

Crease.

The names having been taken down by the Clerk, pursuant to request.

So the amendment was carried, and it was Resolved accordingly.

The Hon. Mr. DeCosmos called on for Monday, his motion on the alteration of the Constitution of the Council.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 11 o'clock to-morrow.

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**Saturday, the 25th day of April, 1868.**

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Ker, Trutch, O'Reilly, Cox, Ball, Elwyn, Smith, Robson, Helmcken, DeCosmos, Walkem, Pemberton, Wood, Spalding, Stamp.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken presented a Petition from certain Merchants and others in Victoria, against the Patent Slip Bill.<sup>18</sup>

Ordered that the same be received and read.

Read accordingly, and Ordered to lie on the table.

The Hon. Mr. Helmcken moved that the Standing Orders be suspended, to enable him to introduce a Bill.

Standing Orders suspended accordingly.

The Hon. Mr. Helmcken brought in the Anatomical Studies Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday next.

On the Order of the day being read for the Council to go into Committee of Supply, and on the question being put the Council divided.

*Ayes 10, Noes 6.*

So it was Ordered that the Council do now go into Committee of Supply.

At which stage of the proceedings of the Council, the annexed Protest against the Estimates for 1868 was placed on the Minutes:—

1st. That for several years past the Expenditure of the Colony has been continued at a rate out of all proportion with its resources and small number of fixed white population.

2nd. That the Secretary of State for the Colonies laid down a rule in Despatch (No. 23, dated April 30th, 1866,) that the Expenditure of the year must be reduced to such an amount as may be covered by a Revenue calculated on the actual average receipts of the past two years, the wisdom of which rule was highly appreciated by the inhabitants of this Colony.

3rd. That the actual Revenue of 1866 was \$437,018, of 1867 \$475,250, and the actual average of the past two years \$456,134. Notwithstanding which, the Estimated Revenue on which the Government now propose to base the Expenditure of 1868 is \$576,000, being in excess of the rule so laid down by \$119,866.

4th. That no public work of consequence is contemplated in the proposed Estimates for 1868, the sum named for such purposes being barely sufficient to keep existing works in repair.

5th. Therefore that it is to amalgamation of offices and a reduction of the Civil List that a saving must be looked for.

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<sup>18</sup> *Ibid.*, p. xvi.

6th. That such amalgamations and reductions must necessarily be the work of the Executive Government, and not of the Legislative Council, after the printed Estimates are submitted to the latter in detail.

(Signed) J. D. PEMBERTON,  
A. DeCOSMOS,  
J. S. HELMCKEN,  
EDWD. STAMP.

The Council then went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted, and Resolutions passed, and asked leave to sit again.

Police and Gaols, Victoria and New Westminster	—	\$17,831 25	
Stipendiary Magistrate, &c., Columbia and Kootenay		10,600 00	
“	“	Cariboo	14,900 00
“	“	Hope, Yale, and Lytton	6,700 00
“	“	Lillooet, Clinton & Soda	
		Creek	4,400 00
“	“	Nanaimo	2,430 00
Pensions, &c.	—		3,395 00
Revenue Services, exclusive of Establishments	—		500 00
Administration of Justice	—		5,200 00
Charitable Allowances	—		5,000 00
Police and Gaols, exclusive of Establishments	—		13,000 00
Rent	—		700 00
Transport	—		5,910 00
Works and Buildings	—		5,300 00
Roads, Streets, and Bridges	—		50,000 00
Miscellaneous Services	—		9,000 00
Interest	—		99,840 00
Drawbacks and Refund of Duties	—		1,100 00
Redemption of Bonds	—		40,000 00
Sinking Fund	—		50,197 00
Temporary Loans	—		70,000 00
Government Vessels	—		11,000 00
Light-houses	—		10,000 00

Resolved, That this Council is of opinion that the withdrawal of the Stipendiary Magistrates from their respective Districts for any longer period than is absolutely necessary for the transaction of public business is highly detrimental to the interests of the Colony.

Resolved, That this Committee is of opinion, that the amalgamation of the Gaols of Victoria and New Westminster is advisable, and that such amalgamation would be attended with a considerable diminution of expense if the Prisons were concentrated.



Resolved, That this Council recommend that the Salary of the Gold Commissioner for the Columbia and Kootenay District be increased to \$3,400; and also, that the Salary of the Clerk be increased to what it was last year.

Resolved, That this Committee recommend the item for Hospitals to be increased to \$10,000.

Resolved, That the Council recommend that the item of Rent be increased by \$350, to pay for the Rent of the Magistrate's residence at Nanaimo.

Resolved, That the Government be requested to place on the Estimates the sum of \$2,000, to improve the Indian Trail from Lytton to Lillooet, on the East side of the Fraser.

Resolved, That the Government be requested to place on the Estimates the sum of \$3,000, to improve the Trail from the Douglas Street Road to Burrard Inlet, by way of False Creek.

Resolved, That His Excellency the Governor be requested to appropriate a sum sufficient for the construction of a Trail between Williams Creek and Musquito Creek.

Resolved, That the Officers connected with the Assay Office be attached to some other Department, so that their large amount of unemployed time may be used for the benefit of the public; or that the Government consider the possibility of the removal of the Assay Office to some mineral locality in which the time of the Department may be fully occupied with advantage to the Colony.

Ordered that the Report of the Committee be adopted,<sup>19</sup> and that leave be granted to sit again on Monday next.

Pursuant to the Order of the day, the Council went again into Committee on the Supreme Court Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported the Bill with amendments.

The Hon. Mr. Helmcken moved that the Bill be recommitted, with instructions to divide the Bill into two parts.

Ordered accordingly that the Bill be recommitted later in the day.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in Fruits Customs Reduction Bill.

Ordered that leave be granted, and that the Bill be read first time at once.

Read first time accordingly.

Second reading ordered for Monday next.

On the Order of the day being read therefor, Ordered that the second reading of the Patent Slip Bill be deferred till Monday.

On the Order of the day being read for the third reading of the Barristers' Bill, Ordered that the same be taken further on in the day.

The Council then adjourned till 8 p.m.

<sup>19</sup> *Ibid.*, pp. xvi-xvii.

On the Council resuming its sitting, pursuant to order, the Council went again into Committee on the Supreme Court Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 1 o'clock on Monday next.

### Monday, the 27th day of April, 1868.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Cox, Elwyn, O'Reilly, DeCosmos, Helmcken, Wood, Robson, Spalding.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos presented the Petition of Thomas Spence.

Ordered that the same be received and read.

Read accordingly.

Ordered to be considered on Tuesday.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

A Message from His Excellency the Governor, which being read, is as follows:—

*Message No. 12.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, a correspondence which has passed between His Grace the Principal Secretary of State, himself, and the Attorney General, respecting the effect of the Act of Union upon the Legislative Constitution of the Colony.<sup>20</sup>

*Government House,  
27th April, 1868.*

Pursuant to the Order of the day, the Council went again into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted,

Education .....\$ 6,000,

Conveyance of Mails ..... 29,400,

the following Resolutions, and that the Estimates are now complete.

Resolved, That this Committee recommend that the item for Education be increased to \$10,000.

Resolved, That a Select Committee be appointed to enquire into the external Postal Service of this Colony.

Ordered that the report be adopted.

<sup>20</sup> *Ibid.*, pp. xvii–xviii.

Pursuant to the last Resolution, the Presiding Member named the following Hon. gentlemen to form a Select Committee to report upon the external Postal Service:—

The Hon. Messrs. Crease, Hamley, Trutch, Robson, Helmcken.

A further Message from His Excellency, read as follows:—

*Message No. 13.*

FREDERICK SEYMOUR.

In reply to the Resolution passed by the Legislative Council, on the 6th April, the Governor regrets to have to state that the present condition of the Colonial Finances will not allow of his proposing any abolition or reduction of the Road Tolls during the present year.

*Government House,  
27th April, 1868.*

A further Message from His Excellency, read as follows:—

*Message No. 14.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council, extracts from two Despatches which he has received from the Secretary of State for the Colonies,<sup>21</sup> and recommends that the following amendments be made in the Bill entitled "An Ordinance to assimilate the Law affecting the Limitation of certain causes of Actions and Suits":—

That the words "and 'The extension of Limitation of Foreign Actions Act, 1861,' of the formerly separate Colony of Vancouver Island are" be inserted in Section I., after the figures "1860," and that the word "is" in the first line of the same Section be struck out.

*Government House,  
27th April, 1868.*

On the motion of the Hon. the Attorney General, Ordered that the said Message be considered in Committee.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee handed in a Resolution, with the request to know, as a point of order, if such Resolution could properly be before the Committee when taken in consideration with Clause 28 of the Standing Orders.

The Hon. the Presiding Member ruled, that if the Resolution in question were by way of an amendment on an original motion to make the alterations sent down by His Excellency, it would be in order; but that if it were to be an original motion, apart from the question, it would be out of order.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly handed in the annexed Report for adoption by the Council:—

Resolved, That the Governor be acquainted that the Council has agreed to the amendments proposed by His Excellency to the "Ordinance to assimilate the Law affecting the Limitation of certain causes of Suits and Actions;" but that the Council recommend that a Bill be introduced to provide for the Limitation of Actions at Law, during the present Session.

Ordered that the Report be adopted.

Pursuant to the Order of the day, the Council went into Committee on the Fire Inquest Bill.

<sup>21</sup> *Ibid.*, p. xix.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

On the Order of the day being read for the committal of the Hudson's Bay Titles Bill,

Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Fence Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, reported progress, asking leave to sit again, and handed in the annexed Resolution for the adoption of the Council:—

That a Committee on the Fence Bill recommend that the same be referred to a Select Committee.

Ordered that the Report be adopted.

Pursuant to the above Resolution, the Hon. the Presiding Member named the following Honorable gentlemen to form a Select Committee on the Fence Bill:—

The Hon. Messrs. Robson, DeCosmos, Wood, Ball, Elwyn.

On the Order of the day being read for a motion of the Hon. Mr. DeCosmos on the alteration of the Constitution,

Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Anatomy Bill was read second time.

Ordered to be committed to-morrow.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 15.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to appropriate the sum of Three Hundred and Fifty-Eight Thousand Nine Hundred and Twenty-Three Dollars and Five Cents, out of the General Revenue of the Colony, for the contingent service of the year 1868."

*Government House,  
27th April, 1868.*

The Hon. the Attorney General moved that the above Bill be read first time to-morrow.

The Hon. Mr. Helmcken in amendment, that it be referred to Committee of Ways and Means.

On the amendment being put the Council divided.

*Ayes 3, Noes 7.*

So the amendment being lost, and the original motion having been put and carried,

Ordered that the Supply Bill be read first time to-morrow.

On the motion of the Hon. the Attorney General, Ordered that the following Bills be placed on the Order of the day to-morrow, in the annexed rotation:—

Committal.—Supreme Court Bill.

„ Intestate Estate Sale Bill.

3rd Reading.—Barristers' Bill.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 1 o'clock, p.m., to-morrow.



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**Tuesday, the 28th day of April, 1868.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Ball, Elwyn, O'Reilly, Cox, DeCosmos, Helmcken, Robson, Wood, Spalding.

The Minutes of the previous Meeting were read over and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 16.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council of the 2nd of April, expressing the opinion that Victoria is the place most suitable for the Capital of the United Colony. Her Majesty's Government would seem to lean to the same opinion. Under these circumstances, the Governor will cause to be proclaimed, on the Queens' birthday, the selection of the Capital within the Town which bears Her Royal name.

*Government House,  
28th April, 1868.*

A further Message from His Excellency the Governor, read as follows:

*Message No. 17.*

FREDERICK SEYMOUR.

The Governor has duly received the Resolution of the Legislative Council, agreeing that an address be presented to him, praying that he will inform the Council of the reply of Her Majesty's Government to a Resolution, passed April 2nd, 1867, recommending that the salary of the Governor be paid from Imperial funds, and that the Executive have power to simplify, centralize, and reduce the departmental system, so as to lessen the public expenditure to such a figure as the Colony is able to stand.

As regards the first point, he would state that he believes the condition of the finances of the Colony generally is engaging the attention of the Secretary of State.

As regards the second, he has to remark that very considerable powers for effecting retrenchment are confined to the Governor. He is loath, however, at all times to deceive legitimate expectations, and to reduce, without absolute necessity, respectable public officers to poverty.

*Government House,  
28th April, 1868.*

A further Message from His Excellency, read as follows:—

*Message No. 18.*

FREDERICK SEYMOUR.

The Governor has received the Resolution of the Legislative Council, passed on the 23rd instant, requesting to be informed what steps, if any, have been taken by the Government of this Colony towards the formation of a Dry Dock at Esquimalt, or any other part of the Colony.

Very lengthy correspondence has passed on this subject between His Grace the Secretary of State, Rear-Admiral the Hon. G. F. Hastings, and the Governor, but it would not be convenient to the public service to lay it before the Council.

Every effort is being made to carry into effect a work of such great importance as that in question.

*Government House,  
28th April, 1868.*

A further Message from His Excellency, read as follows:—

*Message No. 19.*

FREDERICK SEYMOUR.

The Governor has to acknowledge the receipt of a Resolution from the Legislative Council, passed on the 24th Instant, enquiring whether Her Majesty's pleasure has been signified with regard to the proposed Ordinance of last Session, respecting the disposal of the Crown Lands.

No decision has been received. It is but right to inform the Council, that the Land Bill was accidentally somewhat later in transmission than some of the others.

*Government House,  
28th April, 1868.*

The Hon. Mr. Helmcken gave a notice of motion.

On the Order of the day being read for the first reading of the Bill of Supply,

The Hon. Mr. Helmcken moved that the said Bill be referred to Committee of Ways and Means.

On the amendment being put, the Council divided.

*Ayes 3, Noes 8.*

So the amendment was lost.

Ordered that the Supply Bill be read first time.

Read first time accordingly.

Ordered to be read the second time to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Supreme Court Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding, Chairman of the Committee, stated that he had been directed to report the Bill with amendments.

The Hon. Mr. Trutch moved that this Bill be recommitted, to alter Sections 1 and 3.

On the question being put, the Council divided.

*Ayes 8. Noes 3.*

The names having been taken down by the Clerk, as follows, on request:—

Messrs. Trutch.

Messrs. Helmcken,

O'Reilly,

Hamley,

Wood,

DeCosmos.

Ker,

Ball,

Spalding,

Crease,

Robson.

So it was carried in the affirmative, and Ordered accordingly.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Spalding reported that in pursuance of an instruction of the Council, the Committee had divided the Bill into two, viz.:—The Courts Declaratory Ordinance, 1868, and The Supreme Courts Ordinance, which were now reported complete with amendments.

Ordered that the Report be adopted, and that these Bills be severally read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Intestate Estate Sale Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and that the Bill be read third time at once.

Bill read third time accordingly, and Resolved that this Bill do pass, and its title be "The Intestate Estate Sale Ordinance, 1868."

On the Order of the day being read for the third reading of the Barristers' Bill,

Ordered that the same be deferred till to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That a respectful address be presented to His Excellency the Governor, requesting that the following Return may be furnished to the Council, viz.:—the Arrears of Expenditure outstanding and unpaid at the close of the year 1867, and the indebtedness of the Colony.

On the question being put, it passed in the affirmative, and was Resolved accordingly.

On the Order of the day being read for a motion of the Hon. Mr. DeCosmos, on Confederation,

Ordered that the same do lapse.

Pursuant to the Order of the day, the Council went into Committee to consider the Petition of Thomas Spence.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, handed in the annexed Resolution for the adoption of the Council:—

Resolved, That the Petition of Thomas Spence be referred to His Excellency the Governor with the recommendation that the prayer therein contained be granted.

On the question being put, it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Fire Inquest Bill was read third time, and it was Resolved that this Bill do pass, and that its title be the "Fire Enquiry Ordinance, 1868."

On the Order of the day being read for the Committal of the Hudson's Bay Company Titles Bill.

Ordered that the same be deferred till to-morrow.

On the Order of the day being read for a motion of the Hon. Mr. DeCosmos on the Constitution of the Council,

Ordered that the same be taken as the first Order for to-morrow.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p. m., to-morrow.

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**Wednesday, the 29th day of April, 1868.**

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Hamley, Spalding, Helmcken, DeCosmos, Ker, Smith, Elwyn, Cox.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Helmcken seconding, the following Resolution:—

That His Excellency the Governor be respectfully requested to cause to be introduced into the Council, an Ordinance making at least two-thirds of the Council elective.

That the Council in making this request, are impressed with the conviction that at this juncture of the affairs of the Colony, it is expedient to alter the Constitution of the Council, in order to meet the generally expressed wishes of the inhabitants of the Colony.

On the question being put, the Council divided.

*Ayes 4, Noes 4.*

The names were then taken down by the Clerk, as follows:—

Messrs. Smith,	Messrs. Hamley,
Helmcken,	Spalding,
DeCosmos,	Ker,
Elwyn,	Cox.

Which being a tie vote, the Hon. the Presiding Member cast his vote with the Ayes.

So it passed in the affirmative, and was Resolved accordingly.

On the Order of the day being read for the Committal of the Hudson's Bay Titles Bill,

Ordered that the same be deferred till later in the day.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to introduce a Bill amending the Civil List.

Ordered that leave be granted.

The Hon. Member accordingly presented the said Bill, and moved it be now read first time.

On the question being put the Council divided.

*Ayes 3, Noes 5.*

The names having been taken down as follows:—

<i>Ayes 3.</i>	<i>Noes 5.</i>
Messrs. Smith,	Messrs. Elwyn,
Helmcken,	Ker,
DeCosmos.	Cox,
	Spalding,
	Hamley.

So it passed in the negative, and the Bill was thrown out.



Pursuant to the Order of the day, the Supply Bill, 1868, was read second time.

Ordered to be committed later in the day.

Pursuant to the Order of the day, the Courts Declaratory Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Courts Declaratory Ordinance, 1868."

Pursuant to the Order of the day, the Barristers' Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Legal Professions Ordinance, 1868."

On the Order of the day being read for the third reading of the Supreme Court Bill.  
Ordered that the same be deferred till later in the day.

On the Order of the day being read for the second reading of the Patent Slip Bill,  
Ordered that the same be deferred till later in the day.

On the Order of the day being read for the second reading of the Fruits Bill, the Council divided.

*Ayes 7, Noes 1.*

So it was carried in the affirmative, and the Bill read second time accordingly.  
Ordered to be committed later in the day.

On the Order of the day being read for the Committal of the Anatomy Bill,  
Ordered to be committed later in the day.

On the Order of the day being read for the Committal of Loan and Investment Bill,  
Ordered to be Committed later in the day.

Pursuant to a deferred Order of the day, the Council went into Committee on the Supply Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ker, Chairman of the Committee, reported the Bill complete with amendment.

Ordered that the Report be adopted, and the Bill read third time at once.

Read third time accordingly, and Resolved that this Bill do pass, and its title be "An Ordinance to appropriate the sum of Three Hundred and Fifty-Eight Thousand Nine Hundred and Twenty-Three Dollars and Five Cents, out of the General Revenue of the Colony, for the contingent service of the year 1868."

The Hon. Mr. Smith moved that the Standing Orders be suspended, to enable him to give notice of motion.

Standing Orders suspended accordingly.

The Hon. Member then gave notice of motion.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 8 o'clock p.m. this evening.

The Council resumed its sitting at 8 o'clock p.m., the following Hon. Members being present:—Messrs. Young, Crease, Trutch, Ker, Spalding, Cox, Wood, Ball, O'Reilly, Elwyn, Helmcken, DeCosmos, Robson.

The Hon. Mr. Robson gave notice of motion.

Pursuant to Order, the Council went into Committee of the Hudson's Bay Titles Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and that the Bill be read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and that its title be "The Hudson Bay Titles Confirmatory Ordinance, 1868."

Pursuant to Order, the Council went into Committee on the Drawbacks Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Hon. the Attorney General moved that the Standing Orders be suspended to enable him to bring in a Bill.

Standing Orders suspended accordingly.

The Hon. Member then introduced the The Thompson River Bridge Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for to-morrow.

Pursuant to Order, the Supreme Court Bill was read third time, and it was

Resolved that the said Bill do pass, and that its title be "The Supreme Courts Ordinance, 1868."

The Hon. the Attorney General moved that the Standing Orders be suspended to enable him to bring in a Bill.

Standing Orders suspended accordingly.

The Hon. Member then introduced the County Courts Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time to-morrow.

On the Order of the day being read for the second reading of the Patent Slip Bill, a debate arose.

Which having terminated, and the question of the second reading being put, the Council divided.

*Ayes 2. Noes 10.*

The names having been taken down by the Clerk, as follows:—

*Ayes.*

Messrs. DeCosmos,  
Helmcken.

*Noes.*

Messrs. Crease,  
Wood,  
Cox,  
O'Reilly,  
Trutch,  
Robson,  
Elwyn,  
Smith,  
Spalding,  
Ker.

So it was passed in the negative, and the Bill was thrown out.

Pursuant to the Order of the day, the Council went into Committee on the Fruit Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been directed to obtain the decision of the Presiding Member, as to whether it was competent for this Council to initiate a Bill increasing or establishing a tax.

The Hon. the Presiding Member reserved his judgment.

Pursuant to Order, the Council went into Committee on the Anatomy Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock to-morrow.

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### Thursday, the 30th day of April, 1868.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Ker, Elwyn, Cox, Robson, Ball, DeCosmos, Smith, Spalding, Wood, Helmcken.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Wood gave notice of 2 motions.

Pursuant to the Order of the day, The Hon. Mr. Smith moved, the Hon. Mr. Spalding seconding,

That this Council recommend that Flour manufactured from grain grown in the Colony be allowed to pass over the Public Roads free of Tolls, and that His Excellency be respectfully requested to take the matter under his immediate consideration.

On the question being put it was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Helmcken seconding,

That this Council recommends the payment, at as early a period as may be, of the debts of the Royal Columbian Hospital, amounting to some \$3,000, in consideration of such debt not having arisen from any unusual expenditure in the management of the institution, nor from any decrease of private subscriptions, but simply from the inability of the Government, owing to the financial condition of the Colony, to give, during the years 1866 and 1867, the customary assistance, although the same was specially provided for by the Estimates of each year. The Council would more particularly press this question as the

withdrawal of the Seat of Government from New Westminster will, to a marked degree, affect the donations towards the support of the institution, while the number of patients will in no way diminish thereby.

The Hon. Mr. Helmcken moved in amendment, the Hon. Mr. DeCosmos seconding,

That after the figures "\$3,000," in second line, the words "and the debts of the Royal Hospital, Victoria," be added; and that the words at the end of the motion, from "The Council" down to "thereby" be erased.

On the question of these amendments being put, it was carried in the affirmative,

And on the question of the Resolution being passed as amended, being put, it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Thompson River Bridge Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the County Courts Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Draw-backs Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

On the question of the adoption of the Report being put the Council divided.

*Ayes 7. Noes 7.*

Which being a tie vote, the Hon. the Presiding Member cast his vote with the Noes.

So the Report was lost, and the Bill thrown out accordingly.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 20.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that the Law Officers of the Crown are of opinion that the Legislature of this Colony had not power, under Section 15 of the Imperial Act 20° and 21° Victoria, Cap. 62, to admit, by local Ordinance, foreign bottoms to the Colonial trade, and that the provisions of Section 5 of this Ordinance (No. 29, 1867) are repugnant to the 168th Section of the Imperial Act 16° and 17° Victoria, Cap. 107, and that the object desired by that (5th) Section can only be attained in the manner provided by the 328th Clause of the same Act.

It becomes necessary, therefore, that this Section, though unobjectionable in the opinion of Her Majesty's Government in point of policy, should be repealed.

The Governor, therefore, lays before the Legislative Council a Bill for the purpose.

The question of proceeding under the 328th Clause may well await another Session.

*Government House,  
30th April, 1868.*

Ordered that the said Bill (Shipping Amendment Bill) be now read first time.

Read first time accordingly.



Ordered that the Standing Orders be suspended to enable the Bill to be read second time forthwith.

Standing Orders suspended accordingly.

Bill read second time accordingly.

Ordered to be committed later in the day.

Pursuant to the Order of the day, the Council went into Committee on the Loan and Investment Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported that he had been instructed to seek the ruling of the Presiding Member on the following point of order:—

That during the discussion of the Bill, attention was called to the fact of there being no quorum.

The questions arising out of this, were as follows:—

Whether the Council could carry on business in Committee without a quorum? and if not, what was the course to be adopted on it being found that no quorum existed?

The Hon. the Presiding Member ruled, that there was nothing in the Standing Orders regulating the matter, he should, therefore, rule in accordance with usual Parliamentary practice:—

That when a quorum was found to be wanting in Committee, no business could be transacted until a quorum had been made, when business could at once be proceeded with. In the event of no quorum being made, that the Council would in due course be adjourned, without a question first put, by the Senior Member present in order of precedence.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 8 o'clock p. m. this evening.

The Council resumed its sitting at 8 p. m., pursuant to adjournment.

Present,—The Hon. Messrs. Young, Hamley, Trutch, Ker, O'Reilly, Cox, Smith, Wood, Robson, DeCosmos, Helmcken, Spalding, Ball.

Pursuant to a deferred Order, the Council went into Committee on the Loan Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Cox, Chairman of the Committee, stated that he had been directed to report progress.

On the question of the adoption of the Report being put the Council divided.

*Ayes 5, Noes 6.*

So the motion was lost, and the Bill lapsed.

Pursuant to Order, the Council went into Committee on the Anatomy Bill.

On the Presiding Member resuming the Chair, it was found that the Committee had risen without report.

So the Bill lapsed.

On the Order of the day being read for the committal of the Fruits Bill,

The Hon. the Presiding Member gave his judgment on the question of order that had been referred to him on the occasion of this Bill being last in Committee, as follows:—

The point submitted to me for decision is whether the Bill is a Tax Bill? and if it be a Tax Bill, whether it is in order, having originated in the Legislative Council?

I have examined the Bill, and find that it proposes to increase the Duties of Customs at present levied on certain Fruits. It is, therefore, undoubtedly a Bill imposing Taxes, and being such I must rule that it is out of order, as it originated in the Council.

The constitutional responsibility of proposing Taxes rests with the Crown. It is for the people to grant or refuse.

This responsibility cannot be constitutionally assumed by any Legislative body, unless such body be specially empowered thereto by statutory enactment.

No such power is delegated to this Council.

I have considered the point raised that the Governor, as Representative of the Crown, can undoubtedly propose Tax Bills; and as the Governor is a Member of, and can sit in, this Council, therefore such Bills can originate in this Council; but I must hold that this circumstance does not affect the question.

The Governor, as a Member of this Council, simply acquires thereby the same Legislative functions as any other Member; as a Member of the Council, he possesses no more power than any other Member; he is governed by the same Standing Orders, and must conform to the same rules. Such Legislative functions are wholly distinct and separate from his Executive office as a Representative of the Crown.

Pursuant to Order, the Council went into Committee on the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted.

Pursuant to Order, the Council went into Committee on the Shipping Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ker, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to Order, the Council went into Committee on the Thompson Bridge Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ker, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 12 o'clock to-morrow.

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### Friday, the 1st day of May, 1868.

The Council met at 12 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Ker, Cox, Elwyn, DeCosmos, Helmcken, Wood, Robson, Spalding, Smith, Ball.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken gave notice of motion.

Pursuant to Order, the Shipping Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Shipping Amendment Ordinance, 1868."

Pursuant to Order, the Hon. Mr. Wood moved, the Hon. Mr. Helmcken seconding, That His Excellency the Governor be respectfully requested to appropriate a sum of money sufficient to pay off the indebtedness of the Vancouver Island Schools.

The Hon. Mr. Robson moved in amendment, the Hon. Mr. Crease seconding,

That the words from "the" to "Schools" be struck out, and the following substituted: "such part of the indebtedness of the Vancouver Island Schools as the Governor shall deem fair under all the circumstances of the case."

On the amendment being put, the Council divided.

<i>Ayes 8.</i>	<i>Noes 5.</i>
Messrs. Cox,	Messrs. Trutch,
Ball,	DeCosmos,
Elwyn,	Helmcken,
Ker,	Wood,
Robson,	Smith.
Spalding,	
Hamley,	
Crease.	

The names having been taken down on request.

So it passed in the affirmative.

And on the motion having been put as amended it passed in the affirmative, and was Resolved accordingly.

Pursuant to Order, the Council went into Committee on the Thompson River Bridge Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ker, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill be read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title be "The Thompson Bridge Ordinance, 1868."

The Hon. Mr. Crease, Chairman of a Select Committee, appointed to enquire into external Postal matters, brought up a Report.

Ordered that the same be received and read.

Read as follows:—

The Select Committee appointed to consider and advise on the external Postal relations of this Colony, with the Imperial, Foreign, and Colonial Post Office Departments, having carefully considered the subject, and taken evidence thereon, beg to report to your Honorable Council:—

That, it is advisable that your Honorable Council recommend the Executive to enter into arrangements for providing direct steam communication between Victoria and San Francisco, at intervals of not less than once every three weeks, at a monthly subsidy of not exceeding One Thousand Dollars; but that no agreement should extend beyond the close of the present year. The Council trusting that the inconvenience of the external Postal Service of the Colony having attracted the attention of the Mother Country, some more permanent and satisfactory arrangement will by that time be completed.

And that should the above recommendations not be carried out, that the Government be advised to make such arrangements for external Postal Service for any less sum, as they may deem expedient, either by way of San Francisco, or Olympia.

(Signed) H. P. P. CREASE,  
Chairman of Select Committee.

According to Order, the Council went again into Committee on the County Courts Bill.

The Presiding Member resumed the Chair, no report having been sent in by the Committee.

So the Bill lapsed.

After which, His Excellency Frederick Seymour, Esquire, Governor of the Colony, having entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, made the following Speech proroguing the Council:—

*Honorable Gentlemen of the Legislative Council:*

I think I can, without detriment to the Public interests, relieve you to-day from further attendance on your Legislative duties. I have no doubt that the people of the Colony will concur with me in acknowledging the public spirit and industry you have displayed during this short but important Session.

I will take the proposed measures of Legislation into consideration first.

I assent, in Her Majesty's name, to the following Bills:—

The Courts Declaratory Ordinance, 1868;  
The Limitation of Actions Ordinance;  
The Hudson's Bay Titles Confirmatory Ordinance;  
The Fire Enquiry Ordinance;  
The Legal Professions Ordinance;  
The Intestate Estate Ordinance;  
The Trustees' Relief Ordinance;  
The Shipping Amendment Ordinance;  
The Thompson Bridge Ordinance;

Finally, I assent with satisfaction to the Appropriation Ordinance. You may rely on the utmost economy in the expenditure of funds placed at the disposal of the Government.

With every respect for the ladies composing the Society of the Sisters of St. Ann, I must hesitate before bestowing the Royal Assent on the Bill for their Incorporation.

The Bill proposing to establish a Supreme Court of Justice in British Columbia, I shall reserve for Her Majesty's consideration.

I turn now to the Resolutions in favor of certain future measures of Legislation.

I have to state that I quite agree with you in the opinion that some general Law regulating the acquisition of mineral land is urgently required. Under the



present absence of system, land is frequently locked up, to the detriment of the Colony, in the hands of Companies who have not capital to work its mineral wealth, and conditions frequently onerous are on the other hand imposed in the leases, the observance of which the Government has not the means of looking to. The question shall receive my careful attention during the recess.

I do not yet feel sufficiently acquainted with the practical working of the Vancouver Island Road Act to judge of its applicability to the districts immediately surrounding New Westminster.

The protection of native grown Fruits seems hardly a sufficient cause for disturbing the Customs Tariff of the Colony only passed last year.

No one is more impressed than I am with the desirability of establishing a Court of Appeal in this Colony.

Perhaps of the duties devolving on the Governor of a new Colony there are none so agreeable as the opening up of the Country and developing its resources. Therefore I shall be happy, if I can find the means, to form a trail—if only passable for mules—through the Eagle Pass.

I think that we shall be able to survey a line for a road from Pitt River to St. Mary's Mission this year, but I see no chance of the funds being immediately forthcoming for its formation.

I fear that I shall not be able to sanction the employment of the prisoners in the formation of a waggon road from Gold Stream to Cowichan. There are many points to be considered in the working of men whom we hope to reclaim.

The important Resolutions passed by your Honorable Council in Committee of supply shall receive ample attention. I shall be but too happy to attend to the general purport of your Resolution in favour of aid to the Hospitals. Nor shall the subject of Education be overlooked.

Some misapprehension exists as to the size of the Buonaparte Reserves. Their extent is but one-half of that stated in the Petition presented to you. I will see if they can be still further reduced, but I apprise you that the land which could be reclaimed from the Indians would barely pay for the expense of the survey.

I notice that while adhering to your vote of last year, in favour of Confederation with Canada, you are of opinion that it is not necessary to take any further steps in the matter at present. I think your Resolution a wise one. The question is by no means slumbering; but the difficulties of the project are seen clearer by those who have a wider range of vision than we can possess, and without whose material assistance our efforts would be but vain.

You desire a larger popular element in the Honorable Council. Possibly a too violent reaction from an unsatisfactory state of things has taken place. All must admit that the present Legislative Constitution is theoretically unsuited to the Government of any large English community. My faith in the future of British Columbia leads me to consider it but provisional. I shall carefully consider the nature of the recommendation, if any, which I tender to Her Majesty's Secretary of State in the matter.

Firmly believing that the affairs of the Colony are gradually, though slowly, improving, I think that when next the Legislative Council meets, a more grateful task will be before them than you had to deal with at the commencement of this Session.

I now bring it to a close.

I prorogue this Legislative Council and the same is hereby prorogued accordingly.

JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA  
17 DECEMBER 1868 TO 15 MARCH 1869  
IN THE  
32ND YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA

BEING THE SIXTH SESSION OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA



ROLL  
OF THE  
HONORABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*  
FOR THE SIXTH SESSION OF THE LEGISLATIVE COUNCIL,  
BEING THE YEARS 1868-9, 32° VICTORIÆ.

---

WILLIAM A. G. YOUNG, ACTING COLONIAL SECRETARY AND PRESIDING MEMBER.

HENRY P. PELLEW CREASE, ATTORNEY GENERAL.

JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND  
SURVEYOR GENERAL.

WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.

ARTHUR THOMAS BUSHBY, ACTING POSTMASTER GENERAL.

EDWARD GRAHAM ALSTON, J. P.

HENRY MAYNARD BALL, J. P.

HENRY HOLBROOK, J. P.

PETER O'REILLY, J. P.

AUGUSTUS FREDERICK PEMBERTON, J. P.

EDWARD HOWARD SANDERS, J. P.

GEORGE ANTHONY WALKEM, J. P.

THOMAS LETT WOOD, J. P.

WILLIAM WEIR CARRALL, CARIBOO.

JOHN C. DAVIE, VICTORIA DISTRICT.

MONTAGUE WILLIAM TYRWHITT DRAKE, VICTORIA CITY.

HENRY HAVELOCK, YALE.

JOHN SEBASTIAN HELMCKEN, VICTORIA CITY.

THOMAS B. HUMPHREYS, LILLOOET.

DAVID BABINGTON RING, NANAIMO.

JOHN ROBSON, NEW WESTMINSTER.





BRITISH COLUMBIA.

V.



R.

FREDERICK SEYMOUR.

{ L.S. }

## PROCLAMATION

By His Excellency FREDERICK SEYMOUR, ESQUIRE, Governor and Commander-in-Chief in and over the Colony of British Columbia and its Dependencies, Vice-Admiral and Ordinary of the same, &c., &c.

*To the Honorable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;*

*Greeting.*

KNOW YE that I, FREDERICK SEYMOUR, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command and, by the tenor of these presents, enjoin you and each of you that on Thursday, the seventeenth day of December, One thousand eight hundred and sixty-eight, at the Council Chamber, Victoria, personally you be and appear FOR THE DISPATCH OF BUSINESS, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, Victoria, in the Colony of British Columbia, this third day of December, in the year of Our Lord One thousand eight hundred and sixty-eight, and in the thirty-second year of Her Majesty's Reign.

By His Excellency's Command.

WILLIAM A. G. YOUNG.

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## NOTICE.

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COLONIAL SECRETARY'S OFFICE,  
3rd December, 1868.

IN obedience to Her Majesty's command, the Governor has appointed the following Public Officers to be, during Her Majesty's pleasure, Members of the Legislative Council of British Columbia:—

The Honorables

William Alexander George Young,  
Henry Pering Pellew Crease,  
Joseph William Trutch,  
Wymond Ogilvy Hamley,  
Arthur Thomas Bushby,

the Officers lawfully acting for the time being as Colonial Secretary, as Attorney General, as Chief Commissioner of Lands and Works, as Collector of Customs, as Postmaster General, respectively, for the said Colony.

The Governor has been further pleased to appoint the undermentioned gentlemen to be Members of the said Legislative Council, viz:—

The Honorables

Edward Graham Alston,  
Henry Maynard Ball,  
Henry Holbrook,

Peter O'Reilly,  
 Augustus Frederick Pemberton,  
 Edward Howard Sanders,  
 George Anthony Walkem,  
 Thomas Lett Wood.

The following appointments to the Council have been made by the Governor, in deference to the wishes of the people, as expressed in the Districts mentioned after each Honorable gentleman's name:—

The Honorables

William Weir Carrall, Cariboo,  
 John C. Davie, Victoria District,  
 Montague William Tyrwhitt Drake, Victoria City,  
 Henry Havelock, Yale,  
 John Sebastian Helmcken, Victoria City,  
 Thomas B. Humphreys, Lillooet,  
 David Babington Ring, Nanaimo,  
 John Robson, New Westminster.

Provided, always, that such appointments as last mentioned shall be provisional only as aforesaid; and provided, also, that they shall continue in force, unless previously determined, until the first day of August, A.D. 1871, and no longer.

By His Excellency's Command.

WILLIAM A. G. YOUNG.

## Thursday, the 17th day of December, 1868.

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—

The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, Ball, Pemberton, Drake, Helmcken, Alston, Wood, Carrall, Davie, Ring, Walkem.

At 2 o'clock p.m., His Excellency Frederick Seymour, Governor of the Colony, entered the Council Chamber, accompanied by his Private Secretary, and, being seated in the President's Chair, administered the oaths of allegiance and office to the Members present.

His Excellency then delivered the following gracious Speech:—

*Honorable Gentlemen of the Legislative Council:*

In meeting you for the first time in our new Capital, it is my pleasing duty to state that the Colony does not appear to be in a position to create despondency.

It is true that the brilliant days of the early discovery of gold have not returned, nor do they seem likely to do so. The bars on the Fraser which once furnished occupation to ten or twelve thousand men are now abandoned to the rockers of some half-dozen Chinamen. Yet Cariboo, in spite of the disastrous fire at Barkerville, which awoke all our sympathies, continues to improve. New creeks of great promise are being discovered in the District, and I am informed that the yield of gold will exceed that of any preceding year. Further South, at the Kootenay, a new Gold Field, of which the most favourable expectations are entertained, is already being worked by a considerable body of Miners. The farming resources of the Country are being developed to an extent little anticipated at the time when Gold Mining was the prominent thought in every mind. In the Yale District alone forty-six new farms were established previous to the month ending with August, in the year about to expire. Nor must I forget to congratulate you on the extensive exportation of Spars and Lumber which we now see going on, and on the general prosperity of our principal Coal Mines.

Before entering formally on the business of the present Session, it will be well that I should inform you of the fate of the measures already passed. The great majority of the Ordinances have been confirmed by Her Majesty. I shall not mention them in detail, but I specify those which have not been thus favourably received.

The Act to incorporate the Sisters of Saint Ann has been thought to savour too much of the principles of Mortmain.

The Mortgage Bill is considered objectionable by the Secretary of State, who has consequently been unable to advise its allowance by Her Majesty. Further information on this subject shall be laid before you by Message.

A decision on the Land Bill of the last Session is deferred, pending the consideration of certain returns which I have, by command, forwarded to the Secretary of State.

The Judiciary Bill has not been allowed: nor can it be so, until Her Majesty's Government are in a position to provide for one of the two Chief Justices of the Colony. No exertion has been wanting on my part in the past, nor shall be in the future, to secure a solution of an embarrassing question.

To turn to the work before us. I shall lay before you a Bill to provide for the fencing of land in British Columbia. The subject is one of very considerable difficulty, and I should have hesitated in moving in it, but that I know that the measure will not pass through your hands without ample consideration.

It has been found that the system of Royalties and Inspection of Accounts on behalf of the Government now in use in the Mining Leases of the Crown, by no means give satisfaction to the people, nor profit to the Treasury. Companies likewise object to the usual clauses, under the present leasing system, to ensure effectual working, and to satisfy the Government as to the amount of Capital paid up. I propose to you to abandon the principle of Mining Leases save as ancillary to the general system which I am about to submit. It is desirable, in my opinion, that any person of whatever nationality, who shall duly, as will be provided, obtain and effectually work a tract of Mining Ground, should have every facility for acquiring a Fee. The Bill will be so soon before you that I shall not enter into further details. Suffice it to say that you will find it sufficiently liberal. The machinery for working the measure is largely borrowed from the Gold Mining Laws which have given general satisfaction. Silver, Copper, Lead, Cinnabar, and Coal are within the provisions of the Bill. As I contemplate obtaining a very large renunciation of the rights of the Crown, a suspending clause will be necessary in our enactment.

Some amendments in the Vancouver Island Road Act shall be proposed to you.

A Bill is in preparation, intended to confer very considerable powers upon a Board of Health to be appointed in case of need by the Governor.

The scarcity of our securities in the market, and the high price which they command, shews that confidence in the financial stability of the Colony is sufficiently restored to justify me in proposing to you the establishment of a Savings Bank. A Bill for the purpose will be laid before you. I propose that a moderate rate of interest shall be allowed on deposits above a certain amount, and that the depositor shall have the security of the General Revenue.

A Bill to legalize the unforeseen Expenditure of the year 1867 is ready for your consideration. Let me assure you that it contains nothing unusual. There are certain amounts paid for compensation to Public Servants for loss of office, and others to cover the necessary expenses growing out of the now almost forgotten complications on Grouse Creek.

The Estimates for the ensuing year shall be brought at once before you. It is therefore needless that I should enter into any lengthened consideration of their details. They are not unreasonable. The expectations for 1869 are founded upon the experience of 1868. The accounts have not yet been received from the outlying districts of this vast territory; but we are already in a position to state that the Receipts will, within a few dollars, equal the Revenue estimated for the current year. I am not aware of any unusual expenditure for which to invoke your support. The Public debt has been considerably reduced, yet large sums have been expended on works of public utility, such as keeping the main lines of communication with the Gold Mines and the logging stations in a good condition. Certain Bridges near Victoria have been repaired. A new one is in course of construction, and the



channel within our harbour is now being clearly marked out. The Buoys at the mouth of the Fraser have been put into repair again.

As the Revenue shows more elasticity you will find in the Estimates for 1869 a greater amount than usual asked for the repair of the Public Roads, and for the support of Schools and Hospitals. It is sought likewise to obtain a large grant for Public Works. A moderate amount will be required of you for the establishment of a branch of the Government Assay Office in Cariboo. No increase of Public Officers will be necessary for the purpose. The present staff will be simply divided. I have not in the Estimates asked for a grant, but, should the finances allow of it, the Executive Government will be prepared to assume the responsibility of anticipating the wishes of the public by removing one of the Sister Rocks which render difficult, if not dangerous, the navigation of a portion of Fraser River.

The Salaries will be much the same as in 1868. A Return shall be laid before you shewing the great reduction of the Civil Establishment that has been made since the Union of the Colonies, exhibiting a total saving of \$67,043.

Previous to Union, I had reduced the expenditure on Salaries on the Mainland by \$21,049, making a total saving since my assumption of the Government of the continental portion of the Colony of \$88,092. It has been by unmitigated economy. I have never appointed a higher Officer than a Constable.

Having just referred to the repairing of the Bridges leading towards Esquimalt, I suggest for your consideration, whether it might not be advisable, if it can be done without injury to the Harbour of Victoria, to shorten the distance between the two Ports, by the erection of a Bridge from the foot of Johnson Street to the Indian Reserve. An Ordinance for the purpose would, I believe, be required. But we are not pressed for time. The repaired Bridges will last a few years longer.

Several gentlemen connected with this Colony and with the Hudson's Bay Company have, in England, made efforts to procure the admission of British Columbia into any Treaty of Reciprocity which may be negotiated with the United States, in regard to the trade of the Eastern Colonies. The question having been brought before me, I find it one of considerable difficulty, and I shall be glad if you will favour me with your advice in arriving at an opinion as to its expediency.

My attention has been more than once called to the desire of a large portion of the community that this Colony should enter into Confederation with the Dominion of Canada. There is no Englishman who would not rejoice to see a vast State, still under his own flag, extending from the Atlantic to the Pacific; but the practical difficulties of effecting a Union with our far distant fellow Colonists on the other Ocean are very great. I telegraphed, on the 11th March, 1867, to urge that a provision be inserted in the Bill then before Parliament, for the ultimate admission of British Columbia into the Eastern Confederacy. Thus anticipating, by seven days, the formal resolution expressive of the wishes of the Legislative Council on the point. I am informed, in reply, as I stated on a previous occasion, that "the question must at all events await the time when the intervening Territory, now "under the control of the Hudson's Bay Company, shall have been incorporated "with the Confederation."

When transmitting formally the Resolution passed by the Legislative Council, I expressed myself desirous of seeing the project carried out, if it were practicable. To this, and to all my further communications to the Secretary of State on the subject, the reply has simply been that my despatches have been forwarded to the Governor of Canada.

If I may judge from some unofficial letters I have received, there is a desire on the part of Her Majesty's Government to see all Her possessions on the Continent of North America united, but the Secretary of State, with more information before him that we can possess, thinks the obstacles to the scheme to be extremely formidable.

It is not improbable that the natural desire of the people to take a larger share in the conduct of public affairs, and in the Government of the Colony, has led to the wish for union with a self-governing kindred State, regardless of the natural, physical, and administrative difficulties which present themselves. It is not for me to rake up the controversies of the past, or enquire why the liberal institutions accorded to one portion of the Colony were not considered to have been perfectly successful. The principal was right. Being of this opinion, I have taken an important step towards bringing about a greater freedom of communion, between the

Government and the people. I have obtained Her Majesty's gracious permission to place within the Executive Council two gentlemen, Members of your House, not necessarily connected in any way with the Government. Assisted by this reconstituted Council of Advice, I shall proceed to consider whether some reconstruction might not also be desirable in the Legislative body.

One change appears to me perfectly simple and unobjectionable, and that is, under our present restricted Constitution, to allow the people to elect their representatives, without having to obtain the concurrence of the Governor in their choice.

The more the population of the Colony increases, and the greater its prosperity so much the easier will it be to introduce the principles of self-government.

For an increase of population and a return of prosperity I confidently look. It is but natural that in a community which in its early days has been thrown upon its own resources, there should be violent oscillations between extreme confidence and equal despondency. I think that the Colony is now, however, entering on a condition of moderate but progressive prosperity, and I can hardly long for the vast tide of immigration which, on its influx, a few years ago, created exaggerated expectations, and on its ebb left disappointed hopes and much misery behind. There is now every evidence of individual well-being. The rate of wages is high; a considerable public revenue is raised under a tariff, the main principle of which is the taxing of luxuries. If it be contended that the aggregate community is deeply in debt, I reply that our debt does not exceed two years revenue. I know of no State in Europe, or on this Continent, whose liabilities are comparatively so light.

Did I consider that the embers of discord have burnt out, I should feel especial satisfaction in meeting you at a time of the year when we are about to commemorate the greatest event the world has seen; a time when, after pouring out our love and gratitude to the Almighty, our one object is to cultivate the affection of our kindred, and the friendship and regard of our fellow men.

His Excellency then left the Council Chamber.

The Hon. the Acting Colonial Secretary took the Chair as Presiding Member.

The Presiding Member acquainted the Council that in order to prevent any mistakes he had obtained a copy of the Governor's Speech.

Ordered that the same be read aloud by the Clerk.

Read accordingly.

On the motion of the Hon. Mr. Trutch, the Hon. Mr. Bushby seconding,

Ordered, That the Governor's Speech be printed for the use of Members.

On the motion of the Hon. Mr. Ball, the Hon. Mr. Carrall seconding,

Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw up and submit a reply to His Excellency's gracious Speech.

The following Hon. Members were named accordingly:—The Hon. Messrs. Ball, Carrall, Drake, Alston, Davie.

The Hon. the Attorney General gave notice of 3 motions.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Walkem then moved that the Council do now adjourn till 1 o'clock on Monday.

The Hon. Mr. Helmcken moved, in amendment, that the Council adjourn till 3 o'clock on Friday.

The amendment being put, the Council divided.

*Ayes* 5. *Noes* 8.

So the amendment was lost.

The original motion having been put and carried, the Council adjourned till 1 o'clock on Monday, the 21st instant.

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### Monday, the 21st day of December, 1868.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Pemberton, Ring, Wood, Davie, Walkem, Havelock, Carrall, Helmcken, Drake.

The Minutes of the previous Meeting were read and confirmed.

The Hon. the Presiding Member produced a *Dedimus Potestatem* from the Governor, empowering him to swear in Members of the Council during the present Session, and read the same aloud as follows:—

FREDERICK SEYMOUR.

*To William Alexander George Young, Esquire, Presiding Member of the Legislative Council of British Columbia, and whom else it may concern;*

*Greeting.*

KNOW YE that I, FREDERICK SEYMOUR, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said William Alexander George Young, and under and by virtue of all powers and authorities me the said Frederick Seymour, as such Governor, in that behalf enabling, have appointed, and by these presents do give and grant unto the said William Alexander George Young, full power and authority to administer the customary oath to Members of the Legislative Council, during the present Session.

The Hon. the Presiding Member then administered the customary oath to Henry Havelock, Esquire, who was introduced to the Council Chamber, and took his seat at the Board.

The Hon. Mr. Helmcken presented a Petition from Joseph Carruthers Nicholson.<sup>1</sup>

Ordered to be received and read.

Read accordingly.

Ordered to be printed.

The Hon. Mr. Davie presented a Petition from certain inhabitants of Vancouver Island, in reference to a Fence Bill.

Ordered that the same do lie on the table.

The Hon. Mr. Helmcken gave notice of motion.

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<sup>1</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1868–1869, pp. i–ii.

The Hon. the Presiding Member then administered the customary oath to Peter O'Reilly, Esquire, who was introduced to the Council Chamber, and took his seat at the Council Board.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Ball, Chairman of the Select Committee appointed to draw up and submit a report in reply to His Excellency's opening Speech, brought up the same.

Ordered that the same be read aloud by the Clerk.

Read accordingly as follows:—

*To His Excellency Frederick Seymour, Governor and Commander-in-Chief of the Colony of British Columbia, &c., &c., &c.*

We, Her Majesty's dutiful and loyal subjects, Members of the Legislative Council of British Columbia, in Council assembled, have heard with feelings of satisfaction the great improvement visible in the general prosperity of the Colony.

The great advance which has taken place, not only in the Agricultural Districts and Gold Fields, but also in the increased exportation of Coal, Spars, and Lumber induce us to believe that our progress will be steady and permanent.

We beg to assure Your Excellency that all the measures which are brought under our consideration shall receive our most careful attention.

It is to be regretted that Her Majesty's Government has not thought it expedient to pass the Judiciary Bill, but we trust that some measure will be introduced during the present Session, which will terminate the existing anomalies in the administration of the law, and to which Her Majesty will be able to assent.

A Fence Bill is one which will confer a great boon on the Settlers. The importance of a good Mineral Law cannot be too highly estimated, and we are glad to hear from Your Excellency that the measure to be proposed will be liberal in its character, and trust that it will lead to the increased development of the vast mineral resources known to exist in the Colony.

We congratulate Your Excellency on the improved financial condition of the Colony, and the reduction which has been effected in the public debt. Fully impressed with the importance of exercising a rigid economy in all Departments of the Government, the Estimates prepared on this basis will receive our support.

We view with satisfaction the prospect of an increased expenditure on Public Works, as the opening up and repair of roads to various parts of this large territory affords the only permanent means of settling the Country.

We are glad that the important topics of Reciprocity with the United States and Confederation with the Dominion of Canada will be discussed, and trust that some satisfactory solution of these important questions will be arrived at.

We cordially concur with Your Excellency in believing that the time has now arrived when the people should have the full right of electing their representatives in the Legislature, and we hope that its constitution will be still further amended, so as to develop with greater freedom the principles of self-government.

In conclusion, we trust that all classes and parties will harmoniously work together for the common good, and endeavour by wise measures, under the Divine blessing, to win for the Colony a high position amongst the Dependencies of Great Britain.

(Signed) H. M. BALL,  
Chairman of the Select Committee.

On the motion of the Hon. Mr. Helmcken, the Hon. Mr. Ring seconding,

Ordered, That the above Report be adopted.



On the motion of the Hon. Mr. Trutch, the Hon. Mr. O'Reilly seconding,

Resolved, That the Presiding Member be requested to learn at what hour His Excellency the Governor would be prepared to receive the reply of the Council.

The Council adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member acquainted them that His Excellency was prepared to receive the Council at their convenience.

The Council adjourned during pleasure.

On the Council resuming its sitting, the Presiding Member informed the Council that, attended by the Members of the Council, he had waited on the Governor to present the address in reply to His Excellency's Speech at the opening of the Council, and that His Excellency had been pleased to make thereto the following rejoinder:—

*Honorable Gentlemen of the Legislative Council:*

I have received with much satisfaction the address you have been good enough to present to me. I sincerely trust that the efforts we are about to make for the improvement of the Colony will be attended with success. I am glad that you have placed on record your conviction of the enormous resources of the Colony; and, turning to the last paragraph, let me assure you that on my part nothing will be wanting to keep alive the good feeling which I trace in your address.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Fence Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for 7th January, 1869.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Savings Banks Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second Reading ordered for 7th January, 1869.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Mining Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for 20th January, 1869.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved for leave to bring in a Bill altering the Constitution of the Executive and Legislative Councils.

Whereupon a debate arose,

Which having lasted some time, on the motion of the Hon. Mr. Helmcken,

Ordered that the debate be adjourned till to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Drake moved for leave to introduce the Customs Drawback Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on the 8th January, 1869.

The Standing Orders having been suspended for the purpose, the Hon. Mr. Helmcken gave notice of 2 motions.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 2 o'clock to-morrow, the 22nd instant.

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### **Tuesday, the 22nd day of December, 1868.**

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Pemberton, Ring, Wood, Davie, Havelock, Carrall, Helmcken, Drake, Walkem.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Drake presented a Petition from the Victoria Fire Department.

Ordered that the same be received and do lie on the table.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved that a day be named for consideration in Committee of the whole of that part of His Excellency's address relating to a Reciprocity Treaty with the United States of North America.

Ordered that the question be considered in Committee on Monday, the 12th January, 1869.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Walkem seconding, and it was

Resolved, That His Excellency the Governor be respectfully requested to transmit to this Council any papers relating to (1) The Land Bill; (2) The Judiciary Bill; (3) The Reciprocity Treaty with the United States of America; (4) The question of Confederation with Canada.

On the Order of the day being read for a question standing in the name of the Hon. Mr. Drake,

On the motion of the Hon. Member, Ordered, That the same be postponed till 12th January, 1869.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked the following questions of the Acting Colonial Secretary:—

Whether it be the intention of the Executive to make provision for the encouragement of Immigration?

Whether it be the intention of the Executive to open the Eagle Pass route at an early date?

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in Registration of Voters Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on the 13th January, 1869.

On the Order of the day being read for resuming the adjourned debate on the Hon. Mr. Helmcken's motion for leave to bring in a Bill altering the Constitution of the Executive and Legislative Councils,

The Hon. Mr. Helmcken moved that the Standing Orders be suspended to enable him to give a further notice on this subject.

The Standing Orders having been suspended, the Hon. Member gave a notice of motion.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 7th January, 1869, at 1 o'clock.

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### Thursday, the 7th day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Bushby, Pemberton, Ball, Walkem, Wood, Alston, Drake, Carrall, Helmcken, Davie, Humphreys, Havelock.

The Minutes of the previous Meeting were read and confirmed.

Thomas Basil Humphreys, Esq., was then introduced to the Council Chamber, and the customary oaths having been administered to him by the Presiding Member, took his seat at the Council Board.

The Hon. Mr. Davie presented a Petition from the Settlers of Cowichan.

Ordered to be read.

Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Havelock gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. Davie gave notice of 2 motions.

The Hon. Mr. Helmcken rose to speak to a question of privilege, and moved the following Resolution:—

That a Committee be appointed to enquire into the allegations contained in the Petition of J. C. Nicholson, with power to send for papers and persons, and to report to this Council at the earliest possible opportunity.

Whereupon a debate arose, which having terminated,  
The Hon. Member asked leave to withdraw the same.  
Ordered that leave be granted.  
Resolution withdrawn accordingly.

Pursuant to the Order of the day, the Fence Bill was read second time.  
Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Savings Banks Bill was read second time.  
Ordered to be committed on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Davie asked leave to bring in  
Wolves and Panthers Destruction Bill.  
Ordered that leave be granted, and that the Bill be now read first time.  
Read first time accordingly.  
Ordered to be read second time on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved that the Council  
go into Committee to consider a Resolution in reference to the alteration of  
the Constitution of the Executive and Legislative Councils.

Ordered that the Council go into Committee accordingly.

The Presiding Member left the Chair.

The Hon. Mr. Ball in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman handed in a  
report.

Whereupon, on the motion of the Hon. Mr. Helmcken, the Council went  
again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman  
of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1  
o'clock, to-morrow.

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### Friday, the 8th day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Bushby,  
Ball, Walkem, Alston, Drake, Carrall, Helmcken, Davie, Humphreys, Ring,  
Havelock.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Ring gave notice of 2 motions.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Havelock gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.



On the Order of the day being read for the second reading of the Drawback Bill,  
The Hon. Mr. Walkem moved, the Hon. Mr. Ball seconding,

That this Bill be referred to a Select Committee to report upon; and the said Committee shall also enquire whether any other changes in the Customs Laws would be beneficial to the interests of the Colony; if so, specifying the same. That the said Committee shall have power to send for persons and papers, and move from place to place, and make record of the evidence.

On the question being put it was carried in the affirmative, and Resolved accordingly.

The Hon. the Presiding Member named the following Select Committee:—  
The Hon. Messrs. Walkem, Ball, Hamley, Drake, Helmcken, Bushby, Havelock.

On the Order of the day being read for a motion standing in the name of the Hon.

Mr. Helmcken, in reference to the repeal of the Crown Salaries Act,

Ordered that the same be postponed till Monday.

Pursuant to the Order of the day, the Hon. Mr. Havelock asked the Hon. the Attorney General Whether it is the intention of the Government to introduce a Bill for a uniform system of Education for the Colony?

The Hon. the Attorney General replied.

On the Order of the day being read for a motion of the Hon. Mr. Davie, in reference to the Petition from the Settlers of Cowichan,

On the motion of the Hon. Member, Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Davie asked the Acting Colonial Secretary Whether any and what steps have been taken by the Government towards the discovery of the perpetrators of the Salt Spring Island Murder?

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Council went into Committee on the Fence Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Wednesday next.

Pursuant to the Order of the day, the Council resumed, in Committee, the adjourned consideration of the Hon. Mr. Helmcken's Resolution in respect to altering the Constitution of the Executive and Legislative Councils.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Monday next.

Then, on the motion of the Hon. Mr. Alston, the Council adjourned till 1 o'clock on Monday next.

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**Monday, the 11th day of January, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Pemberton, Ring, Wood, Davie, Walkem, Havelock, Carrall, Helmcken, Drake, Bushby, Sanders, Humphreys, Robson, Holbrook.

The Minutes of the previous Meeting were read and confirmed.

Edward Howard Sanders, John Robson, and Henry Holbrook, Esquires, were then introduced into the Council Chamber, and, the customary oaths having been administered by the Presiding Member, took their seats at the Council Board.

The Hon. Mr. Ring gave notice of 2 motions.

The Hon. Mr. Carrall gave notice of 4 motions.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Humphreys gave notice of 2 motions.

The Hon. Mr. Alston gave notice of motion.

On the motion of the Hon. Mr. Crease, Ordered, That the Standing Orders be suspended to enable the Hon. Mr. Havelock to present a Petition.

The Standing Orders having been suspended accordingly,

The Hon. Mr. Havelock presented a Petition from the inhabitants of Lytton.  
Ordered to be read.

Read accordingly.

Ordered that the same do lie on the table.

Pursuant to the Order of the day, the Council went into Committee to consider the question of Reciprocity with the United States of America.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported that some progress had been made with the Resolutions, and asked leave to sit again.

Ordered that leave be granted, and that the same do stand as the first Order of the day on Wednesday.

Pursuant to the Order of the day, the Hon. Mr. Carrall asked leave to introduce the Loan and Investment Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on the Monday, the 18th instant.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock to-morrow, the 12th instant.

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**Tuesday, the 12th day of January, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Pemberton, Ring, Wood, Davie, Havelock, Carrall, Helmcken, Drake, Walkem, O'Reilly, Sanders, Robson, Holbrook, Humphreys.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Drake asked the Hon. the Attorney General Whether it is the intention of the Government to bring in any measure to amalgamate the Laws of this Colony, and whether any steps will be taken to grant to the Supreme Courts of this Colony concurrent jurisdiction?

The Hon. the Attorney General replied.

Pursuant to the Order of the day, the Hon. Mr. Ring asked what amount of public funds have been expended by the Government on the Roads and Bridges in the District of Nanaimo, since Union?

The Hon. Mr. Trutch replied.

According to Order, the Hon. Mr. Ring moved, the Hon. Mr. Carrall seconding,

That the Governor be respectfully requested to furnish this Council with a Return of the amount of Revenue contributed or collected from Nanaimo since the Union.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon.

Mr. Ring, for leave to bring in a Bill relating to Crown Costs,

The Hon. Member asked leave to postpone the same till Friday.

Ordered that leave be granted.

Postponed till Friday accordingly.

Pursuant to Order, the Hon. Mr. Carrall asked leave to bring in Anatomy Bill.

Ordered that leave be granted, and the Bill read first time at once.

Read first time accordingly.

Second reading ordered for Monday, the 18th instant.

Pursuant to Order, the Hon. Mr. Carrall asked the Government to extend aid to the Cariboo Literary Institute.

The Hon. the Acting Colonial Secretary replied.

Pursuant to Order, the Hon. Mr. Carrall asked the Government if they intend to extend aid to the Barkerville Fire Department, and if so, how much?

The Hon. the Acting Colonial Secretary replied.

Pursuant to Order, the Hon. Mr. Carrall asked the Government if they cannot increase, this year, the allowance to Cariboo Hospital?

The Hon. the Acting Colonial Secretary replied.

According to Order, the Hon. Mr. Davie asked leave to bring in a Cattle Protection Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved, the Hon. Mr. Holbrook seconding,

That His Excellency the Governor be respectfully requested to order that a sum of money be set aside for the establishment of a School at Lillooet and Clinton.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston moved, the Hon. Mr. Holbrook seconding,

That a respectful address be presented to His Excellency the Governor, requesting him to furnish this Council with a Return, as soon as it may be convenient, of the names of the Teachers of Common Schools in Vancouver Island, to whom salaries have been paid, since the Union of the Colonies up to the 31st December, 1868, with the amounts so paid.

On the question being put it was carried in the affirmative and Resolved accordingly.

According to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Holbrook seconding,

That His Excellency the Governor be respectfully requested to transmit a Bill to this Council to enact that Supplies for Ships' use going to Foreign parts may be had free of Customs Duties, the law now in force being very injurious to Commerce.

The Hon. the Attorney General moved in amendment, the Hon. Mr. Alston seconding,

That this question be referred to the Select Committee upon the Drawback Bill, to be included in their enquiry, and form the subject of a Special Report.

On the amendment being put it was carried in the affirmative and Resolved accordingly.

Pursuant to Order, the Hon. Mr. Carrall asked the Government if the Salaries of the School Teachers of Vancouver Island, previous to Union, have been paid?

The Hon. the Acting Colonial Secretary replied.

According to Order, the Council went into Committee on the Savings Banks Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the report be adopted, and the Bill read third time on Friday next.

The Hon. Mr. Bushby asked to be relieved from serving on the Committee on the Drawback Bill.

The Hon. the Presiding Member named the Hon. Mr. Robson to serve on the said Committee.



The Hon. Mr. Davie, pursuant to Order, called the special and early attention of the Government to the state of the Saanich and Metchosin Roads.

The Hon. the Chief Commissioner of Lands and Works replied.

The Hon. Mr. Havelock, pursuant to Order, moved the following Resolution, the Hon. Mr. Humphreys seconding:—

That an humble address be presented to His Excellency the Governor, praying that immediate steps be taken towards removing one of the "Sister's" Rocks in Fraser River.

On the question being put it passed in the affirmative, and was Resolved accordingly.

According to Order, the Hon. Mr. Walkem asked the Hon. the Acting Colonial Secretary Whether it is the intention of the Government to establish a regular Mail communication, this season, between this part of the Colony and the Kootenay and Perry Creek Mines?

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Hon. the Chief Commissioner of Lands and Works If it is the intention of the Government to make a Road from Lytton to Lillooet; and if so, when?

The Hon. the Chief Commissioner of Lands and Works replied.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 3 o'clock to-morrow.

### Wednesday, the 13th day of January, 1869.

The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, Pemberton, Ball, Sanders, Drake, Helmcken, Alston, Wood, Carrall, Davie, Walkem, Ring, Robson, Holbrook, Havelock, Humphreys.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 1.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council certain applications addressed to Her Majesty's Secretary of State, praying that His Grace will endeavour to secure that, in the case of its renewal, the provisions of the Reciprocity Treaty shall be extended to British Columbia.<sup>2</sup>

He thinks it hardly necessary to point out that if any relaxation of the Tariff should be made in favour of the United States, existing Treaties require that the same advantage should be extended to other Countries.

*Government House,  
13th January, 1869.*

Ordered to be printed.

<sup>2</sup> *Ibid.*, pp. ii-iii.

The Hon. Mr. Wood gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

According to Order, the Council went into Committee on adjourned consideration of Reciprocity with the United States.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported progress, expressed the wish of the Committee that certain papers be laid before the Committee, and asked leave to sit again.

Ordered that the papers be laid before the Committee, and leave granted to the Committee to sit again at once.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted, and that this question do stand first in order of precedence to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2 p.m. to-morrow.

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### Thursday, the 14th day of January, 1869.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Walkem, Wood, Alston, Holbrook, Robson, Drake, Helmcken, Carrall, Humphreys, Havelock, Davie, Ring.

The Minutes of the previous Meeting were read and confirmed.

According to Order, the Council went into Committee on the subject of Reciprocity with the United States of America.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and that this question do stand first in order of precedence to-morrow.

On the Order of the day being read for a question standing in the name of the Hon. Mr. Ring, relative to the amendment of the Courts of Justice,

On the motion of the Hon. Member, Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

On the Order of the day being read for a Resolution standing in the name of the Hon. Mr. Drake, relative to the Courts of the Colony,

The Hon. Member asked leave to postpone the same.

Ordered to be postponed till this day week.

Pursuant to Order, the Hon. Mr. Alston asked the Hon. the Attorney General Whether it is his intention to introduce a measure for the Registration of Births and Deaths?

The Hon. the Attorney General replied.

Pursuant to Order, the Hon. Mr. Wood moved, the Hon. Mr. Davie seconding,

That His Excellency the Governor be respectfully requested to obtain from the Board of Education of Vancouver Island, and transmit to this Council, a Report embodying the following details:—(1) The Financial condition of the Board; (2) The Schools in actual operation from the Union to the present time; (3) The proximate number of Pupils at each School; (4) The names and Salaries of Teachers; (5) Such other matters as the Board may deem proper to be alluded to in their Report.

On the question being put, it was carried in the affirmative and Ordered accordingly.

Pursuant to Order, the Hon. Mr. Walkem asked the Hon. the Attorney General If it is the intention of the Government to introduce in this Colony the recent English Criminal Statutes?

The Hon. the Attorney General replied.

According to Order, the Hon. Mr. Carrall asked the Hon. the Attorney General If it is the intention of the Government to amend the Gold Mining Laws?

The Hon. the Attorney General replied.

On the Order of the day being read for the second reading of the Registration of Voters Bill,

Ordered that the same be postponed till Saturday.

On the Order of the day being read for the second reading of the Wolves and Panthers Destruction Bill,

Ordered that leave be granted to withdraw the same.

Bill withdrawn accordingly.

On the motion of the Hon. Mr. Davie, Ordered that the Standing Orders be suspended.

The Standing Orders having been suspended, the Hon. Member gave a notice of motion.

Then, on the motion of the Hon. Mr. O'Reilly, the Council adjourned till 3 p.m. to-morrow.

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### Friday, the 15th day of January, 1869.

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The Council met at 2 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, Sanders, Ball, Alston, Wood, Walkem, Holbrook, Robson, Drake, Humphreys, Ring, Havelock, Helmcken, Carrall, Davie, Pemberton, O'Reilly.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Alston gave notice of motion.

The Hon. the Attorney General gave notice of motion.

According to Order, the Council went into Committee on the subject of Reciprocity with the United States.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported that the deliberations of the Committee on Reciprocity had terminated, and that he had been instructed to hand in the following Resolution for the adoption of the Council.

Ordered that the same be taken as read.

On the question of the adoption of the Resolutions being put it was passed in the affirmative and Resolved accordingly,

That this Council having taken into consideration the portion of His Excellency's Speech, and the recent Message, requesting an expression of the views of the Legislative Council as to the advisability of entering into a Reciprocity Treaty with the United States of North America, is of opinion:—

That until there is sufficient information before the Council as to the terms of the Treaty now under negotiation between the Dominion of Canada and the United States, to enable this Council to judge how far it would be advantageous, or the reverse, to British Columbia to be included within its general provisions, the Council is unable to come to a definite conclusion on that point.

They are, however, clearly of opinion that a Treaty, if need be, a separate one, which should reciprocally admit the *following articles* free of any kind of duty, or at a very small mutual rate of duty, from British Columbia into the United States, and *vice versa*, would not only be acceptable to this Colony but equally beneficial to that power; that is to say:—

Coal,	Quicksilver,
Timber,	Sewings Machines,
Lumber of all kinds, round,	Agricultural Implements,
hewn, and sawn,	Marble,
Fish of all kinds,	Limestone,
Firewood,	Sandstone,
Cranberries,	Granite, or any other rough
Fish Oil,	Stone,
Coal Oil,	Slate,
Turpentine,	Furs,
Wheat,	Hides,
Maize, whether ground or	Wool,
whole,	Hair,
Tar,	Horns,
Pitch,	Skins,
Cotton Canvas,	Bones,
Clocks,	Pelts.

That, for the reason above given, it would be advisable to stipulate that any provision in such general or special Treaty, which should embrace any of the



details in the above list, should only come into operation upon its adoption by an Ordinance of this Legislature.

The Hon. Mr. Alston reported a further Resolution for the adoption of the Council, as follows:—

That the thanks of this Council be tendered to those gentlemen who brought the subject of Reciprocity before Her Majesty's Government, for their valuable exertions in behalf of the interests of this Colony, and that this Resolution be forwarded to those gentlemen.

On the question being put it was carried unanimously and Resolved accordingly.

On the motion of the Hon. Mr. Helmcken, the Hon. Mr. Robson seconding,

Resolved, That a deputation be appointed to carry up the Resolution on the subject of Reciprocity to His Excellency the Governor, in order to explain the views of the Council.

The Hon. the Presiding Member appointed the following Hon. Members accordingly:—

The Hon. Messrs. Young, Helmcken, Drake, Ring, Trutch.

Pursuant to the Order of the day, the Council went again into Committee on the Fence Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported further progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Tuesday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Ring, in reference to Intestate Estates,

On the motion of the Hon. Member, Ordered, That the same be postponed till Tuesday.

Pursuant to the Order of the day, the Hon. Mr. Ring moved the following Resolution:—

That His Excellency the Governor be respectfully requested to furnish a Return of the amount of duties received at Victoria by the Collector of Customs on Goods consigned to Nanaimo, as distinguished from those duties transmitted to the Collector by the Collector at Nanaimo.

On the question being put it passed in the negative, and the Resolution was lost.

According to Order, the Hon. Mr. Humphreys moved, the Hon. Mr. Havelock seconding,

That His Excellency the Governor be respectfully requested to order that all Colonial Flour, Bran, and Shorts required by Farmers for their own use, be exempt from Road Tolls.

On the question being put the Council divided.

*Ayes 8, Noes 7.*

So it was carried in the affirmative and Resolved accordingly.

The Hon. the Acting Colonial Secretary gave notice that on Monday next he would introduce the Estimates for the year.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock, on Monday.

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### Monday, the 18th day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, Bushby, Sanders, Ball, Alston, Holbrook, Robson, Helmcken, Humphreys, Davie, Wood, Ring, Drake, Walkem, O'Reilly, Sanders, Carrall.

The Minutes of the previous Meeting were read and confirmed.

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

Pursuant to the Order of the day, the Hon. the Acting Colonial Secretary introduced the Estimates for the year.

Ordered to be printed.

Ordered that the Council do resolve itself into a Committee of Supply to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved the following Resolution, the Hon. Mr. Carrall seconding,

That this Council conscious that the condition of the Colony now differs very materially from that existing at the time when the Crown Salaries Ordinance and other Ordinances relating thereto were framed and enacted, deem it advisable earnestly to ask His Excellency the Governor to transmit to this Council an Ordinance repealing the Crown Salaries Ordinance, and other Ordinances relating thereto, in order that a reduction of some of the salaries therein named may be made; and in order that some of the offices therein provided for may be abolished, or at all events struck out of the Civil List.

Whereupon a debate arose, which having terminated,

The Hon. Mr. Trutch moved in amendment, the Hon. Mr. Crease seconding,

That the words from "conscious" to "enacted" be struck out.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the original Resolution being put as amended the Council divided.

*Ayes 5, Noes 8.*

On the names, pursuant to a request, being taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Ring,	The Hon. Messrs. Davie,
Wood,	Robson,
Humphreys,	Holbrook,
Carrall,	Alston,
Helmcken,	Walkem,
Drake,	Ball,
	Sanders,

The vote was found to stand as follows:—

*Ayes* 6, *Noes* 7, the Hon. Mr. Ring having voted in the negative, but on the names being taken down claimed to have voted in the affirmative.

This claim was overruled by the Hon. the Presiding Member, who decided that the vote on the question stood *Ayes* 5, *Noes* 8, as originally declared,

So the Resolution passed in the negative and was lost.

Pursuant to the Order of the day, the Council went into Committee to consider the Resolution of the Hon. Mr. Helmcken, in reference to altering the Constitution of the Legislative and Executive Councils.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Monday, the 25th instant.

On the Order of the day being read for the second reading of the Loan Bill,  
Ordered to be postponed till Friday next.

On the Order of the day being read for the second reading of the Anatomy Bill,  
Ordered to be postponed till Friday next.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Health Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading ordered for this day week.

On the Order of the day being read for the second reading of the Registration of Voters Bill,  
Ordered to be postponed till Monday, the 25th instant.

Pursuant to the Order of the day, the Hon. Mr. Ring asked leave to bring in Crown Costs Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Cattle Bill was read second time.

Ordered to be committed on Friday next.

Pursuant to the Order of the day, the Savings Banks Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Savings Banks Ordinance, 1869."

Pursuant to the Order of the day, the Hon. Mr. Davie moved, the Hon. Mr. Wood seconding,

That a respectful address be presented to His Excellency the Governor requesting him to authorize the Stipendiary Magistrates of settled Districts to pay suitable rewards for the destruction of Wolves and Panthers.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock, on Wednesday, the 20th instant.

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### Wednesday, the 20th day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Sanders, Drake, Helmcken, Alston, Wood, Davie, Walkem, Robson, Ring, Havelock, Holbrook.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken presented a Petition from certain inhabitants of Victoria, in reference to the Mining Law.

Ordered to be read and printed.

Read accordingly.

The Hon. Mr. Helmcken gave notice of 2 motions.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Alston,

Ordered to be deferred.

On the Order of the day being read for a motion standing in the name of the Hon. the Attorney General,

Ordered to be deferred.

On the motion of the Hon. Mr. Helmcken, the Standing Orders were suspended.

The Hon. Member then moved the following Resolution, of which he had just given notice:—

That a respectful address be presented to His Excellency the Governor, requesting that he will cause the following Returns to be supplied to this Council;—(1) The Revenue and Expenditure on account of Steamer Douglas for the year 1868; (2) The income and expenditure on account of Assay Office, 1868; the total amount of Gold assayed at that office during 1868; the probable amount of Gold taken out of the Mines during that period; (3) An account of the Income and Expenditure (approximate) under the various heads for the year 1868, together with an account of the sums paid to the



various Officers dispensed with; (4) The cost of a prisoner per diem at New Westminster; Do. at Victoria; (5) The amount expended during 1868, upon the main trunk road of the Mainland; the average annual expense of keeping it in repair.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to Order, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted, and Resolutions passed, and asked leave to sit again.

Resolved that the following votes be agreed upon:—

Department of the Governor .....	\$2,552 00
Legislative Council .....	900 00
Colonial Secretary .....	9,424 00
Treasurer .....	4,552 00
Auditor General .....	5,077 00
Chief Commissioner of Lands and Works .....	4,348 00
Customs .....	12,920 00
Registrar General .....	735 00
Harbour Master .....	1,940 00
Post Office .....	2,750 00
Supreme Court .....	3,452 00
Attorney General .....	1,008 00
High Sheriff .....	1,500 00
Police and Gaols .....	17,306 50
Stipendiary Magistrate, &c., Kootenay .....	9,716 00
"    "    Cariboo .....	12,088 00
"    "    Yale .....	4,320 00
"    "    Lillooet .....	4,608 00
"    "    Nanaimo .....	2,434 00
Pensions .....	970 00
Revenue Services .....	1,000 00
Administration of Justice .....	4,400 00
Charitable Allowances .....	10,500 00
Education .....	10,000 00
Police and Gaols .....	12,000 00
Rent .....	875 00
Transport .....	6,660 00

Resolved, That this Council is of opinion that the present system adopted in keeping the public accounts of this Colony is of too complex a character, and one that leads to unnecessary expenditure; and this Council, therefore, respectfully requests that His Excellency will be pleased to obtain such change in the system as will appear desirable and most compatible with economy; and this Council would further especially refer to the practice of auditing the accounts of the Colony in England, as being one that might with advantage be dispensed with.

That the item of \$900 for a Revenue Officer at Burrard Inlet be increased to \$1,200, and that he also act as Constable.

That this Council desires to express to His Excellency the Governor its opinion that the system of employing convict labour upon the public streets exerts a most demoralizing and injurious influence upon the convicts themselves, as well as upon the community.

That His Excellency be respectfully requested to allow the former salary of \$1,940 to the Chief Constable and Clerk of Cariboo; this Council is of opinion that the reduced amount in the Estimates of this year is insufficient to support the incumbents.

That His Excellency the Governor be respectfully recommended to increase the amount of salary it is proposed to pay the Toll Collector, Constable, and Postmaster, at Clinton, to \$1,250.

That His Excellency the Governor be respectfully requested to make an immediate appropriation to pay off the debts of the Royal Hospital, Victoria, and the Royal Columbian Hospital, New Westminster.

On the question of the adoption of the above Resolutions being put it passed in the affirmative and was Resolved accordingly.

Ordered that leave be granted to the Committee of Supply to sit again tomorrow.

On the Order of the day being read for the second reading of the Mining Bill,

Ordered to be postponed till Friday next.

On the Order of the day being read for the further Committal of the Fence Bill,

Ordered to be deferred till Monday.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Drake seconding,

That His Excellency the Governor be respectfully requested to furnish a Return stating the amount received from the Estates of Intestates in Vancouver Island, by the Registrar or Official Administrator, since the retirement of Chief Justice Cameron down to the present time; also stating the amount now lying to the credit of the Intestate Fund.

On the question being put the Council divided.

*Ayes 3, Noes 9.*

The names, as requested, having been taken down by the Clerk, as follows:

<i>Ayes,</i>	<i>Noes.</i>
The Hon. Messrs. Ring,	The Hon. Messrs. Wood,
Drake,	Davie,
Bushby,	Robson,
	Holbrook,
	Alston,
	Sanders,
	O'Reilly,
	Crease,
	Trutch.

So it passed in the negative and the Resolution was lost.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Robson, relating to Harbour Master's Report on Fraser River,

On the motion of the Hon. Member, Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

According to a deferred Order, the Hon. Mr. Alston moved, the Hon. Mr. Holbrook seconding,

That an address be presented to His Excellency the Governor respectfully requesting him to transmit to this Council a Bill for Registration of Births and Deaths.

On the question being put it was carried in the affirmative and Resolved accordingly.

According to a deferred Order, the Hon. Mr. Crease asked leave to bring in Queen Charlotte Coal Co.'s Registration Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

On the motion of the Hon. Mr. Holbrook, Ordered that the Standing Orders be suspended.

The Standing Orders having been suspended, the Hon. Member gave notice of 2 motions.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p. m. to-morrow.

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### Thursday, the 21st day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Walkem, Wood, Alston, Pemberton, Robson, Drake, Helmcken, Carrall, Humphreys, Havelock, Davie, Ring, Sanders.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken presented a Petition from Robert Homfray, and moved that the same be read.

On the question being put the Council divided.

*Ayes 12. Noes 3.*

So it was carried in the affirmative, and Ordered to be read.

Read accordingly.

Ordered to be considered on Tuesday next.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Havelock gave notice of motion.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

On the Order of the day being read for a Resolution standing in the name of the Hon. Mr. Drake,

Ordered to be deferred till later in the day.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, in reference to Customs Return,

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Pursuant to the Order of the day, the Council went again into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted and Resolutions passed, and asked leave to sit again.

Resolved that the following votes be agreed upon:—

Conveyance of Mails	\$29,400
Works and Buildings	12,000

Resolved, That His Excellency the Governor be respectfully requested to appropriate the sum of \$200 for the carriage of Mails between New Westminster and Burrard Inlet, and that a Post Office be established at the latter place.

That His Excellency the Governor be humbly requested to make provision for a Mail communication once a week to Metchosin.

That His Excellency the Governor be humbly requested to order that the Mail now carried from Clinton to Lillooet, be sent from Lytton to Lillooet. This applies to the Mail from Victoria.

That this Committee is of opinion that a trail through the Eagle Pass should be made as soon as the season will admit.

That His Excellency the Governor be respectfully requested to instruct the Chief Commissioner of Lands and Works to report on the condition of the East Saanich Road, and that a sum sufficient to place this road in passable condition be placed on the Estimates.

That the Governor will be pleased to direct that the Metchosin Road, from Weir's to Vine's, be laid out and made.

On the question of the adoption of these Resolutions being put it was carried in the affirmative and Resolved accordingly.

Ordered that leave be granted to the Committee to sit again to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Drake moved the following Resolution:—

That this Council is of opinion that the existing condition of the Supreme Courts of this Colony is highly anomalous, mischievous, and inconvenient, and, pending an organic Ordinance for the establishment of one Supreme Court, an Ordinance should be passed forthwith to establish (1) A concurrent



jurisdiction in each of the Supreme Courts throughout the entire Colony;  
 (2) An appeal as of right from the decision of either of the existing Supreme Courts to the Judges of both Courts, with the addition of a third Judge of Appeal.

Whereupon a debate arose,

Which having terminated, Ordered that the debate on the question be adjourned till to-morrow.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow, the 22nd instant.

### Friday, the 22nd day of January, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Bushby, Ball, Walkem, Alston, Drake, Carrall, Helmcken, Davie, Humphreys, Ring, Havelock, Wood, Robson, Pemberton, Sanders.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken presented a further Petition from Mr. Nicholson.<sup>3</sup>

Ordered that the same be read aloud by the Clerk.

Read accordingly.

Ordered that the same do lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Robson gave notice of 2 motions.

The Hon. Mr. Drake gave notice of motion.

Pursuant to the Order of the day, the Council went again into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following sums voted, and Resolutions passed, and asked leave to sit again.

Resolved, That the following votes be agreed upon:—

Roads, Streets, and Bridges .....	\$62,500
Miscellaneous .....	16,500
Interest .....	22,000
Drawbacks .....	2,100
Temporary Loans .....	100,000
Government Vessels .....	16,800
Light Houses .....	10,000

Resolved, That in the opinion of this Committee, it is of the utmost importance that the Road connecting New Westminster with Burrard Inlet should

<sup>3</sup> *Ibid.*, p. iii.

be kept in a passable condition, and His Excellency is recommended to make the necessary appropriation for the same.

That this Council fully recognizing the importance of establishing communication by land between the seaboard and the interior of British Columbia, recommend to His Excellency the Governor the early survey of a Trunk Road from New Westminster to Yale, and the division of such road into sections of say a mile each; and that provision should be made for the gradual construction of said road by the issuing of land scrip for the payment of three-fourths of the work, the remaining fourth to be paid for in money.

That His Excellency be pleased to place upon the Estimates a sum of \$1,000 for the Fire Companies of Victoria.

That a suitable appropriation of money for the establishment of a Fire Department at Barkerville be placed in the Estimates.

That an address be presented to His Excellency the Governor, respectfully recommending that a Court House be erected in the town of Yale during the present year.

On the question of the adoption of the above Resolutions being put, it was carried in the affirmative and Resolved accordingly.

On the motion of the Hon. Mr. Robson, the Standing Orders were suspended, and the Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Drake, the Council adjourned till 1 o'clock on Monday next.

### Monday, the 25th day of January, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Ring, Wood, Davie, Walkem, Havelock, Carrall, Helmcken, Drake, Holbrook, Bushby, Sanders, Humphreys, Robson.

The Minutes of the previous Meeting having been read. On the question of their confirmation being put, the following protest was placed on the Book:

#### PROTEST.

The undersigned Representative Members of the Legislative Council, whilst they would not do any injustice to the gentlemen now actually performing the duties of Governor, Colonial Secretary, Attorney General, Commissioner of Lands and Surveyor General, and Collector of Customs, do protest against any person who may hereafter perform those duties receiving any greater salary than the following, viz.:—

Governor	£2,500 per annum
Colonial Secretary	600 „ „
Attorney General, with practice	350 „ „
Commissioner of Lands and Surveyor General	600 „ „
Collector of Customs	600 „ „

and further protest against the office of Treasurer and of the Chief Inspector of Police being retained upon the Civil List, and against any person being appointed to those offices.

(Signed) J. S. HELMCKEN, Victoria City.  
R. W. W. CARRALL, Cariboo.  
J. C. DAVIE, Victoria District.  
M. W. T. DRAKE, Victoria City.  
T. B. HUMPHREYS, Lillooet.  
H. HAVELOCK, Yale.

The Minutes were then confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 2.*

FREDERICK SEYMOUR.

In compliance with the Resolution passed by the Legislative Council on the 12th instant, the Governor forwards a Return shewing the amount of Revenue collected from Nanaimo since the Union of the Western Colonies.<sup>4</sup>

*Government House,  
23rd January, 1869.*

The Hon. Mr. Drake presented the Petition of William Steinberger.<sup>5</sup>

Ordered to be received and read.

Read accordingly.

Ordered that the same do lie on the table.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Crease gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That the Government be respectfully recommended to make provision for the establishment of a Law Library for the use of the Courts of Law.

On the question being put it was carried in the affirmative and Resolved accordingly.

According to Order, the Hon. Mr. Alston asked leave to bring in the Common Schools Bill.

Ordered that leave be granted, and the Bill read first time at once.

Read first time accordingly.

Second reading ordered for Wednesday, the 3rd February.

According to Order, the Council went into Committee to consider the Hon. Mr. Helmcken's Resolution altering the Constitution of the Executive and Legislative Councils.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, stated that the Committee had risen without a report.

On the Order of the day being read for the second reading of the Health Bill, A debate arose, which having terminated,

<sup>4</sup> *Ibid.*, p. iii.

<sup>5</sup> *Ibid.*, p. iv.

On the question of the second reading being put the Council divided.

*Ayes 14, Noes 5.*

So it passed in the affirmative, and the Bill was read second time.

Ordered to be committed on Thursday next.

On the Order of the day being read for the second reading of the Registration of Voters Bill,

Ordered that the rest of the Orders of the day be postponed till to-morrow, and that the second reading of the Mining Bill do stand as the first Order of the day.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p.m. to-morrow.

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### **Tuesday, the 26th day of January, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Pemberton, Ring, Wood, Havelock, Carrall, Helmcken, Drake, Walkem, O'Reilly, Sanders, Robson, Holbrook, Humphreys.

On the Minutes being read, the Hon. the Attorney General moved that the Protest on the subject of the Crown Salaries therein appearing be struck out, as it referred not to a vote of the Council but to a matter treated of in Committee of the Council which had not come before the Council, and was therefore irregular.

Whereupon a debate arose, which having terminated, the Hon. Member withdrew his motion.

The Minutes were then confirmed.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Wood gave notice of motion.

On the Order of the day being read therefore, the Mining Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council took into consideration the Petition of Robert Homfray.

The Hon. Mr. Robson moved that it be referred to a Select Committee for Report.

On the question being put, it was carried in the affirmative and Ordered accordingly.

The Hon. the Presiding Member named the following Select Committee:—  
The Hon. Messrs. Robson, Wood, Trutch.



On the Order of the day being read for a motion in regard to the Law of Probate, standing in the name of the Hon. Mr. Ring,

Ordered that the same be postponed till this day week.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Havelock, on the subject of the abolition of the Road Tolls,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Resolution withdrawn accordingly.

Pursuant to Order, the Hon. Mr. Walkem moved, the Hon. Mr. Robson seconding, That His Excellency the Governor be respectfully requested to send down an Ordinance to this Council to provide for the better administration of Justice in causes of Action between the Crown and the Subject.

On the question being put the Council divided.

*Ayes 12, Noes 4.*

So it was passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Helmcken seconding, the following Resolution:—

That an humble address be presented to His Excellency the Governor, recommending the immediate establishment, at San Francisco, of an Emigration Agency for the purpose of affording information respecting the Colony, and the best means of reaching it.

On the question being put it passed in the affirmative, and was Resolved accordingly.

Pursuant to Order, the Hon. Mr. Robson moved, the Hon. Mr. Helmcken seconding,

That an humble address be presented to His Excellency the Governor, enquiring whether Her Majesty's assent is still withheld from the "Land Ordinance, 1867;" and if so, upon what grounds? and that any correspondence referring to the same between the Imperial and Colonial Governments, or extracts from such correspondence, may be laid before this Council.

On the question being put the Council divided.

*Ayes 12, Noes 4.*

So it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for the second reading of the Registration of Voters Bill,

On the motion of the Hon. Mr. Helmcken, Ordered that leave be granted to withdraw the same.

Bill withdrawn accordingly.

On the Order of the day being read therefor, the Crown Costs Bill was read second time.

Ordered to be committed on Tuesday next.

Pursuant to Order of the day, the Council went again into Committee on the Fence Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time on Monday next.

On the Order of the day being read therefor, the Queen Charlotte Coal Co. Registration Bill was read second time.

Ordered to be committed on Monday next.

Ordered that the two next motions, standing in the name of the Hon. Mr. Holbrook, be postponed.

According to Order, the Hon. Mr. Humphreys moved, the Hon. Mr. Helmcken seconding,

That Returns of the amount of Revenue derived from Kootenay, during the year 1868, be respectfully asked of His Excellency the Governor.

On the question being put it was carried in the affirmative, and Resolved accordingly.

According to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That His Excellency the Governor be pleased to send down Returns of the Exports from British Columbia during 1868.

On the question being put it was carried unanimously and Resolved accordingly.

Then, on the motion of the Hon. Mr. Drake, the Council adjourned till 1 o'clock to-morrow.

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### Wednesday, the 27th day of January, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, Sanders, Ball, Alston, Wood, Walkem, Holbrook, Robson, Humphreys, Ring, Davie, Havelock, Helmcken, Carrall, O'Reilly.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Fire Company's Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second Reading ordered for 3rd February.

Pursuant to the Order of the day, the Hon. Mr. Wood moved, the Hon. Mr. Walkem seconding, the following Resolution:—

That the Government be respectfully recommended to provide for the establishment of a Public Library and Museum, or to give pecuniary assistance to existing local institutions of a like nature.

On the question being put the Council divided.

*Ayes 4, Noes 12.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Council went into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock, to-morrow.

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### **Thursday, the 28th day of January, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Bushby, Sanders, Carrall, Ball, Alston, Holbrook, Robson, Helmcken, Humphreys, Davie, Wood, Ring, Drake, Walkem, O'Reilly, Havelock.

The Minutes of the previous Meeting were read and confirmed.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Alston, on Indian affairs,

Ordered that the same be postponed till this day week.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 3.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to appropriate the sum of Four hundred and nineteen thousand three hundred and thirty-five dollars and fifty cents, out of the General Revenue of the Colony, for the contingent service of the year 1869."

*Government House,  
28th January, 1869.*

Ordered that the Supply Bill be now read first time.

Read first time accordingly.

Second reading ordered for Monday next.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. to-morrow.

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**Friday, the 29th day of January, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Ring, Wood, Havelock, Carrall, Helmcken, Drake, Walkem, Humphreys, O'Reilly, Sanders, Robson, Holbrook, Davie.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Davie gave notice of motion.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted and the Committee sit again on Monday.

Pursuant to the Order of the day, the Council went into Committee on the Queen Charlotte Coal Company Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered to be read third time on Monday next.

On the Order of the day being read for the Committal of the Health Bill,

Ordered to be postponed till Monday.

According to Order, the Hon. Mr. Walkem asked leave to bring in Bail and Affidavits Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Davie seconding, the following Resolution:—

That a respectful address be presented to His Excellency the Governor, recommending that the Members elected from the Mainland be paid their expenses during the time of their attendance at the Council, within a limit of 40 days, and that a sum sufficient be placed by His Excellency on the Supplemental Estimates.

The Hon. Mr. Crease moved in amendment, that the word "reasonable" be inserted before expenses; and the words "within a limit of 40 days" struck out.

This amendment having been put and carried,

The Hon. Mr. Walkem moved the following amendment:—

That the word "travelling" be inserted before "expenses," and substitute "incurred in their attendance upon this Council" for rest of clause after word "expenses;" erase "from the Mainland."



On the question being put, words "from the Mainland" erased; word "travelling" lost; that the words "incurred in their attendance upon this Council" be substituted for rest of clause after word "expenses" lost.

The Resolution as amended stood as follows:—

That an humble address be presented to His Excellency the Governor, recommending that the Members elected be paid their reasonable expenses during the time of their attendance at the Council, and that a sum sufficient be placed by His Excellency on the Supplemental Estimates.

On the question being put the Council divided.

*Ayes 6, Noes 5.*

So it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock, on Monday next.

### Monday, the 1st day of February, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Wood, Davie, Walkem, Havelock, Carrall, Helmcken, Drake, Holbrook, Bushby, Sanders, Humphreys, Robson, Pemberton.

On the Minutes of the previous Meeting being read, the Hon. Mr. Walkem proposed to place a protest on the books against a vote of the Council yesterday, on the subject of paying the expenses at Council of elected Members.

Order to be rejected.

The Hon. Mr. Holbrook proposed to place a protest on the books against a protest of the 25th January, on the Crown Salaries, having been allowed to remain on the books.

Ordered to be rejected.

The Minutes were then confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 4.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Return of the Exports from British Columbia in 1868.<sup>6</sup>

*Government House,  
1st February, 1869.*

Ordered to be printed.

The Hon. Mr. Helmcken presented a Petition of Messrs. Jones and Jenkinson.

Ordered that the same be received and do lie on the table.

<sup>6</sup> *Ibid.*, p. iv.

The Hon. Mr. Helmcken gave notice of 2 motions.

The Hon. Mr. Havelock gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress made, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to introduce Game Amendment Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, the Supply Bill was read second time.

Ordered to be committed at once.

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete, without amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Davie moved, the Hon. Mr. Wood seconding,

That a respectful address be presented to His Excellency the Governor, recommending that His Excellency be pleased to direct that a sum of money (say \$250) be appropriated to the Victoria Agricultural Society.

The Hon. Mr. Robson moved in amendment,

That the Governor be respectfully requested to place on the Supplementary Estimates the sum of \$1,000 to be applied to the service of the several Agricultural Societies throughout the Colony.

The Hon. Mr. Davie having withdrawn his Resolution in favour of the Hon. Mr. Robson's amendment, the same was put, and having passed in the negative, the Resolution was lost.

On the Order of the day being read for the third reading of the Fence Bill,

The Hon. Mr. Walkem moved that the Standing Orders be suspended to enable the Bill to be recommitted for the purpose of striking out certain words.

The Standing Orders having been suspended, *nemine contradicente*, the Bill was recommitted.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for the third reading of the Queen Charlotte Coal Company Bill,

Ordered to be recommitted.

Recommitted accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time to-morrow.

On the Order of the day being read for the committal of the Health Bill,

Ordered to be postponed till to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved the following Resolution:—

That an humble address be presented to His Excellency the Governor recommending that the duty on Wheat be reduced to 15 cents per 100 lbs.

The Hon. Mr. Trutch moved the *previous question*, which having been put and carried the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. Davie seconding, the following Resolution:—

That His Excellency be requested to send down an Ordinance to alter the duties on Spirits manufactured in the Colony from \$1 to 50 cents a gallon, and to amend the Excise Ordinance.

On the question being put the Council divided.

*Ayes 10, Noes 7.*

So it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Davie, on the subject of certain reports published in England on Confederation,

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 p. m. to-morrow.

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## Tuesday, the 2nd day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Bushby, Ball, Alston, Drake, Helmcken, Davie, Humphreys, Ring, Robson, Wood, Holbrook, Havelock, Pemberton, Sanders.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Havelock gave notice of motion.

The Hon. Mr. Davie gave notice of motion.

Pursuant to the Order of the day, the Fence Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Fence Ordinance, 1869."

Pursuant to the Order of the day, the Queen Charlotte Company Office Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "The Queen Charlotte Mining Company's Office Ordinance, 1869."

Pursuant to the Order of the day, the Supply Bill was read third time, and it was Resolved that this Bill do pass, and that its title be "An Ordinance to apply the sum of Four hundred and nineteen thousand three hundred and thirty-five dollars and fifty cents, out of the General Revenue of the Colony for the contingent service of the year 1869."

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Humphreys seconding,

That the sum of \$1,500 be recommended to be allowed for the carriage of the Mails between Victoria and New Westminster, in addition to the amount already voted for that purpose, and that an amount be placed by His Excellency the Governor to meet the same on the Supplementary Estimates.

Whereupon a debate arose, during which the following Messages from His Excellency the Governor were received, which being read are as follows:—

*Message No. 5.*

FREDERICK SEYMOUR.

The Governor has received the Resolutions passed by the Legislative Council on the 20th January. He will forward to Her Majesty's Government that recommending a simplification of the mode of keeping the public accounts.

The other Resolutions are receiving his earnest consideration.

*Government House,  
2nd February, 1869.*

*Message No. 6.*

FREDERICK SEYMOUR.

The Governor has received the Resolution passed by the Legislative Council on the 26th January, in favour of his transmitting a Bill for the Registration of Births and Deaths.

The subject is one of great difficulty in this Colony, and the efforts made to pass an Ordinance for the purpose indicated failed on the Mainland.

As he cannot construct a measure which would satisfy himself, he forwards for the inspection of the Council a despatch from the Secretary of State forwarding a copy of an Ordinance passed in Ceylon, and which has there given satisfaction.

*Government House,  
2nd February, 1869.*

*Message No. 7.*

FREDERICK SEYMOUR.

The Governor has received the Resolution passed by the Legislative Council, asking for information respecting the delay of the Royal Assent to the Land Bill of 1867. It is not in the power of the Governor to forward copies of the correspondence which has passed on the subject, and if it were, but little information would be received by the Council from the papers he would lay before them.

It is believed that the existing laws relating to the acquisition of land are liberal. The matter is still under consideration.

*Government House,  
2nd February, 1869.*

*Message No. 8.*

FREDERICK SEYMOUR.

The Governor has received the Resolution passed by the Legislative Council, requesting him to transmit a Bill for the better administration of justice in causes of action between the Crown and the Subject.



He would remind the Council, that each individual member of it has the power of initiating Bills, which when perfect, receive the utmost consideration.

But he must add, that the present system does not, in his opinion, work unjustly towards any one.

The Crown simply represents the public interests.

*Government House,  
2nd February, 1869.*

The Hon. Mr. Helmcken rose to a question of Order, and it was decided by the Hon. the Presiding Member, that the Resolution of the Hon. Mr. Holbrook was not in order, having been already dealt with in the Estimates.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Havelock seconding,

That a sum be recommended to be allowed for the conveyance of the Mails per steamer, between New Westminster and Yale, and that His Excellency be requested to place an amount to meet the same on the Supplementary Estimates.

On the question being put the Council divided.

*Ayes 6. Noes 11.*

So it passed in the negative and the Resolution was lost.

Pursuant to Order, the Hon. Mr. Ring asked leave to bring in Probate Amendment Bill.

Ordered that leave be granted, and the Bill read first time at once.

Read first time accordingly.

Second reading ordered for February 16th.

Pursuant to the Order of the day, the Council went into Committee on the Crown Costs Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Havelock,

Ordered that leave be granted to withdraw the same.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Holbrook,

Ordered that leave be granted to withdraw the same.

Pursuant to the Order of the day, the Hon. Mr. Havelock asked whether it is the intention of the Government to cause one of the "Sister's" Rocks in the Fraser River to be removed this year, as recommended by the Council?

The Hon. the Chief Commissioner replied.

According to Order, the Hon. Mr. Robson moved, the Hon. Mr. Carrall, seconding,

That in the opinion of this Council it is of importance that the Department of Lands and Works should be so conducted as to afford those arriving in the Colony the fullest possible information respecting the country, its various resources, the Agricultural and Mineral Lands occupied, the lands still open for

pre-emption or purchase, the position and character of such lands, the rate of wages and the cost of living in the various districts, the population, stock, and improvements therein, and all other information likely to prove interesting or useful to persons desirous of settling in the country, or of engaging in any pursuit therein; that a branch of the Department, provided with the means of supplying all such information should be established at some convenient spot on the Mainland, and that an humble address be presented to His Excellency the Governor, embodying these views.

Moved in amendment by the Hon. Mr. Crease,

That the words from "that a" to "Mainland" be struck out, and that the words "that all Assistant Commissioners throughout the Colony should be provided with the means of supplying such information" be substituted.

The amendment having been put and carried.

On the amended Resolution being put, the Council divided.

*Ayes 12, Noes 2.*

So it was carried in the affirmative and Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved, the Hon. Mr. Robson seconding,

That His Excellency the Governor be respectfully asked for Returns of moneys paid to elected or selected Members of the Legislative Councils of British Columbia since their formation, and to whom paid.

On the question being put the Council divided.

*Ayes 6, Noes 11.*

So the Resolution was lost.

Pursuant to Order, the Council went into Committee on the Health Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered to be read third time on Monday next.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock to-morrow.

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### Wednesday, the 3rd day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Bushby, O'Reilly, Pemberton, Ball, Sanders, Drake, Helmcken, Wood, Davie, Walkem, Robson, Holbrook, Havelock, Humphries.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

On the Order of the day being read for the third reading of the Crown Costs Bill,  
The Order dropped.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Carrall seconding,

That the Governor will be pleased to obtain and place before this Council, during the next ensuing Session, Statistics of the amount of the various Agricultural, Horticultural, and Dairy productions produced in Vancouver Island and on the banks of the Lower Fraser, during the year 1869, and similar information with regard to the Interior of the Mainland; also the quantity of Live Stock (domestic), the number of acres taken up, the number of farms and population existing in each respectively.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That in the opinion of this Council it would be beneficial to the Colony were a site appropriated for the deposition and continual exhibition of its natural and other productions.

On the question being put it passed in the affirmative, and was Resolved accordingly.

According to Order, the School Bill was read second time.

Ordered to be committed on Friday next.

According to Order, the Fire Bill was read second time.

Ordered to be committed on Monday next.

According to Order, the Affidavits Bill was read a second time.

Ordered to be committed at once.

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Davie moved, that a day be named for the Council to consider Confederation with the Dominion of Canada.

A debate arose, which having terminated, and the question having been put, as to whether a day should be named to consider the question of Confederation, the Council divided.

*Ayes 10, Noes 5.*

So it passed in the affirmative, and it was Ordered that this subject be considered on Wednesday the 17th instant.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 o'clock to-morrow.

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**Thursday, the 4th day of February, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Walkem, Wood, Alston, Pemberton, Robson, Helmcken, Carrall, Davie, Humphreys, Havelock, Ring, Sanders.

The Minutes of the previous Meeting were read and confirmed.

On the Order of the day being read therefor, Ordered that the discussion of Indian Affairs be postponed till the 10th instant.

Pursuant to the Order of the day, the Affidavits Bill was read third time, and it was Resolved, that this Bill do pass, and its title be the "Oaths Ordinance, 1869."

The Hon. Mr. Trutch, Chairman of a Select Committee, appointed to draw up a Report on the Petition of Robert Homfray, brought up the same, which was read as follows:—

Your Committee has duly taken the Petition of Robert Homfray into consideration, and have examined such witnesses as have been deemed necessary, and finds:—

1. That the claim as preferred by the Petitioner has been fully substantiated, to the extent of its being a debt against the Crown, in the event of funds being available from the Revenue of Leech River Ditch.

2. The Petitioner, however, asserts that the debt was assumed absolutely by the Government of Vancouver Island, contingent only on the Ditch being completed, and there being funds in the Colonial Treasury to meet the demand.

3. The testimony on this latter head is conflicting and unsatisfactory.

4. In view, however, of the fact that the Government has taken over the Ditch, and so far has availed itself of the services for which Mr. Homfray now claims to be paid, and considering that no revenues have been derived, or are likely, for some time to come, to be derived from such Ditch, your Committee is of opinion that the payment of the Petitioner's claim should be no longer deferred.

Ordered that the Report be adopted.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported further progress made, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Wood seconding, and it was Resolved *nem. con.*:—

That this Council is of opinion that the present practice of confining Lunatics in the common prisons of the Colony, is both inhuman and inconvenient, and that an humble address be presented to His Excellency the Governor, earnestly recommending that a suitable building may be provided in which such unfortunate persons may receive proper treatment.

On the Order of the day being read for the Committal of the Cattle Bill,

Ordered to be postponed till to-morrow.



The Standing Orders having been suspended,  
The Hon. Mr. Ring gave notice of motion.  
The Hon. Mr. Drake gave notice of motion.  
The Hon. Mr. Helmcken gave notice of motion.  
The Hon. Mr. Robson gave notice of motion.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 o'clock to-morrow.

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### Friday, the 5th day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Walkem, Wood, Pemberton, Robson, Helmcken, Carrall, Davie, Drake, Havelock, Ring, Sanders.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Davie presented a Petition from the inhabitants of Chemainus.

Ordered to be read.

Read accordingly.

The Hon. Mr. Alston gave notice of motion.

The Hon. the Attorney General gave notice of 2 motions.

On the Order of the day being read for the third reading of the Crown Costs Bill,  
Ordered to be committed.

The Council went again into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill now complete.

Ordered to be read third time at once.

Read third time accordingly, and Resolved that this Bill do pass and its title be the "Crown Costs Ordinance, 1869."

Pursuant to the Order of the day, the adjourned debate on the Hon. Mr. Drake's Resolution regarding the Courts of the Colony was resumed, after which it was Ordered that the debate be again adjourned till Monday.

Pursuant to the Order of the day, the Game Bill was read second time.

Ordered to be committed on Monday next.

Pursuant to the Order of the day, the Loan Bill was read second time.

Ordered to be committed on Thursday next.

On the Order of the day being read for the committal of the School Bill.

Ordered to be postponed till Tuesday next.

Pursuant to the Order of the day, the Council went into Committee on the Cattle Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Drake, relative to Female Immigration.

Ordered that leave be granted to withdraw the same.

Motion withdrawn accordingly.

According to Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That the Report of the Select Committee on the Petition of Robert Homfray be transmitted to the Governor, with a request that the claim should be paid, without its forming any precedent.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved the following Resolution:—

That a Select Committee be appointed to prepare and lay before this Council, during the present Session, a Scheme for promoting Immigration to this Colony, and for disseminating correct information respecting the same.

On the question being put it was carried in the affirmative and Resolved accordingly.

The Hon. the Presiding Member named the following Select Committee:—  
The Hon. Messrs. Robson, Drake, Ball, Bushby, Alston.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p.m. on Monday.

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### Monday, the 8th day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Wood, Davie, Walkem, Carrall, Helmcken, Ring, Sanders, Humphreys, Bushby, Robson.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Walkem, Chairman of the Select Committee, brought up a Report in reference to the Drawbacks Bill, and other matters affecting the Customs.

Ordered that the same do lie on the table, and be considered on Wednesday next.

Ordered that the Drawbacks Bill be read second time on the same day.

Pursuant to Order, the Hon. Mr. Alston called the attention of the Government to the condition of the Victoria Cemetery, and asked the Hon. the Acting Colonial Secretary whether a site can be appropriated for a new Cemetery, outside the city limits?

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. Crease asked leave to introduce the Victoria By-Law Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Crease asked leave to introduce Municipal Amendment Bill.

Ordered that leave be granted, and the Bill read first time at once.

Read first time accordingly.

Second reading ordered for Monday next.

On the Order of the day being read for the following question of the Hon. Mr. Humphreys,

The Hon. Member asked leave to make it the subject of an address to the Governor, as follows:—

That an humble address be presented to His Excellency the Governor, asking whether it is the intention of the Government to introduce a measure, in accordance with the intimation in the Opening Speech, to enable the people to elect nine Representatives, without being subject to the concurrence of the Governor or not?

The Hon. Member asked leave to withdraw the same.

Motion withdrawn accordingly.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 9.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to regulate the Supreme Courts of Justice of British Columbia."

*Government House,  
8th February, 1869.*

Ordered that the Bill be now read first time.

Read first time accordingly.

Second reading Ordered for to-morrow.

On the Order of the day being read for resuming the adjourned debate on the Hon. Mr. Drake's motion respecting the Courts,

Ordered that the same be postponed till to-morrow.

On the Order of the day being read for the committal of the Mining Bill,

Ordered that the same be postponed till Monday, 15th inst.

Pursuant to Order, the Council went again into Committee on the Health Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Fire Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported progress made, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to Order, the Council went into Committee on the Game Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Cattle Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Wednesday next.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock, to-morrow.

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### **Tuesday, the 9th day of February, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, O'Reilly, Bushby, Ball, Alston, Drake, Helmcken, Davie, Humphreys, Ring, Robson, Wood, Havelock, Pemberton, Sanders, Carrall, Walkem.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Crease gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

On the Order of the day being read for a motion on promoting the manufacture of Beet Root Sugar, standing in the name of the Hon. Mr. Havelock,

Ordered that the same be postponed.

Postponed accordingly.

On the Order of the day being read for a question standing in the name of the Hon. Mr. Helmcken.

Ordered to be postponed.

Pursuant to Order, the Hon. Mr. Ring asked leave to bring in Harewood Railway Extension Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.



Pursuant to the Order of the day, the Health Bill was read third time, and it was Resolved that this Bill do pass, and that its title be the "Health Ordinance, 1869."

On the Order of the day being read for the third reading of the Game Bill,  
The Hon. Mr. Davie moved that it be read this day six months.  
On the amendment being put the Council divided.

*Ayes 2, Noes 14.*

So the amendment was lost.

On the question of the third reading being put the Council divided.

*Ayes 14. Noes 2.*

So it was carried in the affirmative and the Bill was read third time, and it was Resolved that this Bill do pass and that its title be the "Game Ordinance, 1869."

On the Order of the day being read for the second reading of the Supreme Courts Bill,

The Hon. Mr. Ring moved that the next Order of the day be first dealt with.  
On the question being put the Council divided.

*Ayes 10, Noes 8.*

The names having been taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Ring,	The Hon. Messrs. Crease,
Wood,	Trutch,
Davie,	O'Reilly,
Humphreys,	Alston,
Havelock,	Sanders,
Carrall,	Ball,
Helmcken,	Bushby,
Robson,	Hamley.
Walkem,	
Drake.	

So it was carried in the affirmative and Ordered accordingly.

Pursuant to the last Order, the adjourned debate on the Hon. Mr. Drake's motion was resumed.

The following amendment of the Hon. Mr. Davie was withdrawn after a division on the question of leave being granted therefor.

*Ayes 10, Noes 8.*

That this Council is of opinion, that the existing condition of the Supreme Courts of this Colony is highly anomalous, mischievous, and inconvenient, and calls for immediate remedy at the hands of the Executive.

The original question was then put and carried, after a division:—

*Ayes 10, Noes 8.*

Resolved, That this Council is of opinion that the existing condition of the Supreme Courts of this Colony is highly anomalous, mischievous, and incon-

venient, and, pending an organic Ordinance for the establishment of one Supreme Court, an Ordinance should be passed forthwith to establish:—(1) A concurrent jurisdiction in each of the Supreme Courts throughout the entire Colony; (2) An appeal as of right from the decision of either of the existing Supreme Courts to the Judges of both Courts, with the addition of a third Judge of Appeal.

On the Order of the day being read for the second reading of the Supreme Courts Bill,

The Hon. Mr. Drake moved that the Bill be read this day six months.

Whereupon a debate arose, which having terminated,

The Hon. Member asked leave to withdraw his motion, on which the Council divided.

*Ayes 10, Noes 8.*

So it was carried in the affirmative, and Ordered that leave be granted to withdraw the motion.

The Hon. Mr. Robson then moved the following Resolution, the Hon. Mr. Walkem seconding:

That the Bill be referred to a Select Committee for the purpose of having it reconstructed, upon the basis set forth in the Resolution for the alteration of the Courts, and that the same Committee be instructed to draw up an Address to Her Majesty, shewing the condition of the Supreme Courts of this Colony, and praying for the establishment of one Supreme Court and a Court of Appeal.

On the question being put, the Council divided.

*Ayes 10, Noes 9.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on the School Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

On the Order of the day being read for the second reading of the Anatomy Bill,

The Hon. Mr. Robson moved that the Bill be read this day six months.

On the question being put the Council divided.

*Ayes 2, Noes 8.*

So it passed in the negative and the motion was lost.

The Bill was then read second time.

Ordered to be committed on Monday next.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 1 o'clock to-morrow.

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**Wednesday, the 10th day of February, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, Bushby, O'Reilly, Ball, Sanders, Drake, Helmcken, Davie, Walkem, Robson, Alston, Ring, Havelock, Humphreys.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson, Chairman of the Select Committee appointed to report on Female Immigration, brought up the following Report:—

Your Select Committee on the subject of Assisted Female Immigration have the honor to lay before the House the following Report on that important subject:—

1. Your Committee think that, taking into consideration the state of the Colony, they would not be justified in advising the House to apply to His Excellency the Governor for too large a grant of the public money to be employed for this purpose, but propose that for the first year, at least, the scheme should be on a limited and economical scale, and that His Excellency should respectfully be asked to appropriate the sum of \$3,500 towards carrying out the following scheme:—

2. Your Committee would suggest that assisted Immigration to the Colony should for the present be restricted to Female Servants, from the age of 18 to 30 years, and that the number for the first year be limited to 40. That, as the rate of passage and small incidental expenses is computed to be about \$175, the Government should be asked to supply \$75 of that sum, the person applying for a servant giving \$50 (in consideration of the small rate of wages at which a servant would be secured), and that the additional \$50 should be advanced by the person applying for a servant, this latter sum being refunded in monthly instalments by the servant from her wages; each servant to be bound down to two years' service.

3. That the Governor be requested to appoint a Board of three persons to assist in carrying out the proposed scheme, and that their duties should be as follows:—

1. The Board to have the disposal of the Government Grant for the furtherance of the proposed scheme.

2. To receive applications from persons desirous of obtaining servants, and deal with the same.

3. To make all necessary arrangements in England for procuring servants, according to the applications.

4. To take all necessary steps to promulgate all useful information with reference to the Colony, in Great Britain, San Francisco, and elsewhere.

5. To make periodical reports to His Excellency the Governor, of their proceedings.

All of which is respectfully submitted.

JNO. ROBSON,  
Chairman of Committee.

Ordered that the same be adopted and considered on Tuesday next.

Pursuant to an Order of yesterday's date, the Hon. the Presiding Member named the following Hon. Members to form a Select Committee to consider a Report on the Supreme Courts Bill:—

The Hon. Messrs. Robson, Drake, Havelock, Ring, Carrall.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Reconveyance Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading Ordered for Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved, the Hon. Mr. Robson seconding, the following Resolution:—

That an humble address be presented to His Excellency the Governor, praying that the duty on horned cattle imported into British Columbia be increased to \$5 per head, duty on sheep to \$1 per head.

Moved in amendment by the Hon. Mr. Davie,

That the words after “praying that” be omitted, and “yearlings be admitted duty free” inserted in their place.

On the amendment being put the Council divided.

*Ayes 5, Noes 10.*

So the amendment was lost.

On the original question being put, the Council again divided.

*Ayes 9, Noes 7.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston moved, the Hon. Mr. Ring seconding, the following Resolution:—

That an humble address be presented to His Excellency the Governor, respectfully requesting him to issue a Commission to enquire into and report upon the best system of administering Indian affairs, and managing their reserves.

Whereupon a debate arose, which having terminated, and on the question being put the Council divided.

*Ayes 12, Noes 2.*

So it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for the consideration of the Report of the Select Committee on Drawbacks and other matters, the following Reports were read and adopted.

Your Select Committee beg to report that they have carefully considered the provisions of the “Drawbacks Ordinance.”

The measure advocates three principles: 1st—The extension of the privileges of our Export Laws to all Vessels of ten tons and upwards; 2nd—The adoption of a system of Drawbacks in the nature of a Return of Customs Duties to Exporters of Goods who have paid the usual Import Dues thereon; and lastly—The abandonment of the present system of Certificates.

Your Committee are of opinion, and the weight of evidence tends to shew, that a great improvement in trade would follow the removal of the restrictions at present imposed upon it.

By the 117th Section of the Customs Act of 1853, vessels under 50 tons burden are precluded from engaging in our Export Trade, though its proportions have, since the Union of the Colonies, been seriously contracted.

To meet the wants of the Mercantile community, your Committee would strongly recommend the extension of the provisions of the above Statute to Vessels of ten tons burden and upwards.

Before passing to the consideration of the second part of the proposed Ordinance, your Committee beg to call the attention of this Council to what may be termed the Certificate system.



At present the Customs authorities require our Export Merchants to produce a Certificate, signed by a Foreign Collector of Customs, that the goods sold and shipped hence have been landed at the port of their destination. This requirement should be dispensed with, as the evidence taken on the subject shows that it tends to hamper trade to a serious extent.

With reference to the second principle of the Ordinance, your Committee believe that the proposed system of Drawbacks will, if adopted, materially revive and increase our Foreign Export business, by enabling our Merchants to sell to the Foreign consumer at prices which will give them manifest advantages over other competitors.

The provisions of the Ordinance should, in the opinion of your Committee, be extended to all classes of merchandize, except wines, spirits, and liquors.

Your Committee are further of opinion that the system or scheme of requiring sureties, as proposed in the Ordinance, is impracticable, and contrary to sound business principles. In other matters of detail the Ordinance requires amendments and alterations, which your Committee are prepared to submit for the consideration of this Council.

(Signed) GEO. A. WALKEM,  
Chairman.

Your Select Committee appointed by Resolution of this Council to enquire into the several matters therein contained, including the question of supplying Ships' Stores, &c., duty free, beg to report:—

That the evidence given upon the latter subject, is to the following effect:—

That previous to the extension of the Customs Laws of the Mainland to Vancouver Island, a very extensive business in supplying ships with stores, &c., was carried on; but since that period it has declined to such an extent as to be now comparatively insignificant. Many of the vessels which formerly bought their supplies and stores here, do so no longer, though still frequenting our Ports.

That vessels bound on a voyage, estimated to occupy a period of *forty days*, are allowed to purchase their stores, &c., out of Bond, duty free; but if the voyage be of a shorter duration, this privilege is denied them, though their destination be a Foreign Port.

That there are many large vessels sailing from this Colony to Foreign parts, upon voyages occupying less than forty days, and such vessels would, without doubt, purchase their stores here, if the restrictions mentioned were removed.

That no vessel of less than fifty tons burden should be entitled to purchase stores, &c., duty free.

Your Committee are, therefore, of opinion, that trade would be largely increased in the Colony, and no injury would eventually accrue to the Revenue of Customs, if Foreign bound vessels of fifty tons and upwards were permitted to purchase their Supplies, &c., duty free, however short the duration of their voyage might be.

(Signed) GEO. A. WALKEM,  
Chairman.

Your Select Committee, conformably to the Resolution of this Council, beg to report as follows:—

They would recommend that the present Pilotage system be abandoned, and the Pilots should in future be Salaried Officers of the Government.

That the Pilotage Fees should be merely nominal, and be collected by the Government.

That the Pilots should be under the control of the Customs Department.

That each Pilot be made an Officer of Customs.

That the Captain of the steamer Sir James Douglas be made an Officer of Customs also.

(Signed) GEO. A. WALKEM,  
Chairman.

Ordered that the Report on the Drawbacks Bill be sent down to the Committee when such Bill is committed.

According to Order, the Drawbacks Bill was read second time.

Ordered to be committed on Monday next.

According to Order, the Council went again into Committee on the School Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

On the Order of the day being read for the committal of the Fire Bill,

Ordered to be postponed till Monday.

Pursuant to Order, the Hon. Mr. Helmcken asked the Hon. the Chief Commissioner of Lands and Works, to give the Council any information in the possession of the Government, relative to the proposed construction of a Graving Dock at Esquimalt Harbour?

The Hon. the Chief Commissioner of Lands and Works replied.

Then, on the motion of the Hon. Mr. Alston, the Council adjourned till 1 o'clock, on Monday the 15th inst.

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### **Monday, the 15th day of February, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs, Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Ring, Wood, Carrall, Helmcken, Drake, Walkem, Humphreys, Holbrook, Sanders, Robson, Pemberton, Davie.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

On the Order of the day being read for the second reading of the By-Law Bill,  
Ordered to be postponed.

On the Order of the day being read for the second reading of the Municipal Bill.  
Ordered to be postponed till this day week.

On the Order of the day being read for the third reading of the Mining Bill.  
Ordered to be deferred till to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Anatomy Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for the second reading of the By-law Bill.

A debate arose, which having terminated, and the question of the second reading being put, the Council divided.

*Ayes 8, Noes 4.*

So it was carried in the affirmative, and the Bill was read the second time.  
Ordered to be committed on Friday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Ball seconding,

That His Excellency the Governor be humbly requested to order that a voyage to any foreign port shall be considered of not less than 40 days' duration, and that Vessels of 50 tons burden and upwards, bound foreign, shall be allowed to have their stores duty free.

The Hon. the Collector of Customs moved in amendment, the Hon. Mr. Walkem seconding,

That Vessels of 50 tons and upwards, clearing for a foreign port, shall be allowed to have their stores duty free, in quantities proportioned to their respective voyages.

On the amendment being put, the Council divided.

*Ayes 5, Noes 10.*

So the amendment was lost.

On the original motion being put, the Council again divided.

*Ayes 10, Noes 7.*

So it was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on the Draw-backs Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted to-morrow.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock to-morrow.

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## **Tuesday, the 16th day of February, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Hamley, Trutch, O'Reilly, Bushby, Alston, Ball, Drake, Helmcken, Davie, Humphreys, Ring, Robson, Wood, Carrall, Havelock, Sanders, Walkem, Holbrook.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Walkem gave notice of 3 motions.

Pursuant to the Order of the day, the Probate Bill was read second time.

Ordered to be committed on Friday next.

On the Order of the day being read for the consideration of the Report of the Select Committee on Female Immigration.

The Hon. Mr. Robson moved the following Resolution, the Hon. Mr. Ball seconding:—

*Resolved*, That an humble address be presented to His Excellency the Governor, recommending the adoption of the Immigration Scheme set forth in the Report of the Select Committee on that subject, and recommending the necessary appropriation of money for carrying out the same.

On the question being put it was carried *nemine contradicente*, and Resolved accordingly.

On the Order of the day being read therefor, the Reconveyance Bill was read the second time.

Ordered to be committed at once.

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered to be read third time to-morrow.

On the motion of the Hon. Mr. Ring, Ordered that the second reading of the Harewood Railway Bill be taken next.

Bill read second time accordingly.

Ordered to be committed at once.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with trifling amendments.

Ordered to be read third time to-morrow.

On the Order of the day being read for the committal of the Mining Bill,

Ordered to be postponed till Monday, next.

Pursuant to the Order of the day, the Anatomy Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Anatomy Ordinance, 1869."

Pursuant to the Order of the day, the Council went again into Committee on the School Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Tuesday next.

Then, on the motion of the Hon. Mr. Havelock, the Council adjourned till 1 o'clock, to-morrow.

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### Wednesday, the 17th day of February, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, O'Reilly, Hamley, Wood, Davie, Walkem, Carrall, Helmcken, Ring, Sanders, Humphreys, Bushby, Holbrook, Drake, Pemberton, Robson.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Walkem gave notice of motion.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Helmcken gave notice of 3 motions.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in the Civil Cases Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in Partnership Bill.

Ordered that leave be granted, and the Bill now read first time.

Read first time accordingly.

Second reading ordered for Monday next.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in Companies Bill.

Ordered that leave be granted, and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Harewood Railway Extension Bill was read third time, and it was Resolved that this Bill do pass, and that its title be the "Harewood Colliery Company's Railway Extension Ordinance, 1869."

Pursuant to the Order of the day, the Reconveyance Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "The Vancouver Island Reconveyance Ordinance, 1869."

Pursuant to the Order of the day, the Council took into consideration the subject of Confederation.

The Hon. Mr. Davie moved the following Resolution, the Hon. Mr. Wood seconding:—

That this Council impressed with the conviction that under existing circumstances, the Confederation of this Colony with the Dominion of Canada would

be undesirable, even if practicable, urges Her Majesty's Government not to take any decisive steps towards the consummation of such Union.

Whereupon a debate arose, during which,

The Hon. Mr. Carrall moved in amendment, the Hon. Mr. Humphreys seconding:—

That this Council is of opinion, that in order to render Confederation of any practical benefit to British Columbia, the great territory lying east of the Rocky Mountains must first be transferred to the Dominion of Canada and opened up to Immigration and settlement; that, inasmuch as the transfer of that territory is still an open question, it would be premature for this Council to give any definite expression of opinion on the subject.

Which having been debated for some time, the Hon. Member asked leave to withdraw it.

Ordered that leave be granted.

Motion withdrawn accordingly.

The Hon. Mr. Alston then moved the following amendment, the Hon. Mr. Humphreys seconding:—

That however desirable Confederation with Canada may hereafter become, this Council believes that until the great territory intervening between this Colony and the Dominion is transferred to the Crown, and contains a larger and more settled population, it would be premature to express any definite opinion on the subject.

On this amendment being put, the Council divided.

*Ayes 5, Noes 11.*

The names, by request, having been taken down by the Clerk, as follows:—

*Ayes.*

The Hon. Messrs. Havelock,  
Humphreys,  
Carrall,  
Robson,  
Walkem.

*Noes.*

The Hon. Messrs. Davie,  
Trutch,  
Helmcken,  
Drake,  
Sanders,  
O'Reilly,  
Holbrook,  
Wood,  
Ring,  
Ball,  
Pemberton.

So the amendment was lost.

The Hon. Mr. Trutch then moved that the original motion be amended by the insertion of the word "present" between "the" and "consummation."

The Hon. Mr. Crease seconding.

On the question of this amendment being put, the Council divided.

*Ayes 11, Noes 5.*

The names having been taken down as follows:—

*Ayes.*

The Hon. Messrs. Davie,  
Trutch,  
Helmcken,  
Drake,  
Sanders,  
O'Reilly,  
Holbrook,  
Wood,  
Ring,  
Ball,  
Pemberton.

*Noes.*

The Hon. Messrs. Havelock,  
Humphreys,  
Carrall,  
Robson,  
Walkem.

So the amendment was carried.

On the original question as amended being put, the Council divided.

*Ayes* 11, *Noes* 5.

The names having been taken down as follows:—

*Ayes.*

The Hon. Messrs. Davie,  
Trutch,  
Helmcken,  
Drake,  
Sanders,  
O'Reilly,  
Holbrook,  
Wood,  
Ring,  
Ball,  
Pemberton.

*Noes.*

The Hon. Messrs. Havelock,  
Humphreys,  
Carrall,  
Robson,  
Walkem.

So it passed in the affirmative, and it was Resolved,

That this Council, impressed with the conviction that under existing circumstances the Confederation of this Colony with the Dominion of Canada would be undesirable, even if practicable, urge Her Majesty's Government not to take any decisive steps toward the present consummation of such Union.

Then, on the motion of the Hon. Mr. Walkem, the Council adjourned till 1 p. m. to-morrow.

### Thursday, the 18th day of February, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Trutch, Bushby, Sanders, Carrall, Robson, Ball, Alston, Holbrook, Helmcken, Humphreys, Wood, Drake, Havelock, Hamley, Pemberton, O'Reilly.

On the Minutes of the previous Meeting being read, the following Protest was placed on the Books, after which, they were confirmed:—

PROTEST.

We, the undersigned Members of the Legislative Council, desire to place on record our protest against the action of the Council at its last sitting upon the subject of Confederation with Canada.

1. It has been conceded by all that the admission of British Columbia into the Dominion of Canada is not likely to take place until the territory intervening has first been admitted and more thickly settled. Under these circumstances it was premature and injudicious for the Council to discuss and pronounce an opinion on the subject.

2. The Council as at present constituted is not a Representative body, and hence does not fairly reflect public opinion on this subject.

3. The Colonists resident on the Mainland, the larger and more productive portion of the United Colony, together with a large minority in Vancouver Island, are nearly unanimous in favour of Confederation upon fair and equitable terms, when the proper time shall have come for its consummation. This will appear evident from the simple fact that all the Elective Members from the Mainland were returned as Confederationists, and that every one of those Members now join in this protest.

(Signed) R. W. W. CARRALL, Cariboo District,  
HENRY HAVELOCK, Yale District.  
T. B. HUMPHREYS, Lillooet District,  
E. G. ALSTON, J.P., (as to the first clause),  
JNO. ROBSON, New Westminster District,  
GEO. A. WALKEM, J.P.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Carrall seconding,

That an humble address be presented to His Excellency the Governor recommending that a drawback of 75 cents may be allowed on every barrel of Flour manufactured within the Colony from imported Wheat, upon which Duty of Customs has been paid.

On the question being put, the Council divided.

*Ayes 9, Noes 6.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That an humble address be presented to His Excellency the Governor, praying that a drawback may be granted upon Biscuit made in the Colony from imported Flour, equal to the duty on such Flour, provided that the Biscuit be exported.

Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Humphreys seconding,

That an humble address be presented to His Excellency the Governor, recommending him to grant the sum of \$1,000 as a reward to any party who will discover a suitable pass, proper to make a trail, from Columbia River, in the neighbourhood of Eagle Pass, to Wild Horse Creek, so as to avoid the river navigation of 150 miles to the mouth of the Kootenay River; the said pass to pass through the Selkirk Range of mountains at not a higher elevation than



2,500 feet; and His Excellency the Governor in Council to be the judge as to when the reward is earned.

On the question being put the Council divided.

*Ayes 2, Noes 8.*

So the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Walkem moved, the Hon. Mr. Ball seconding, the following Resolution:—

That an humble address be presented to His Excellency the Governor, requesting him to offer a premium of \$2,500, or such sum as he may deem fit or proper, for the erection, in this part of the Colony, of the first Gold Quartz Mill, capable of crushing not less than five tons per day; provided, also, that the said Mill shall have been worked *bona fide* for three months after its erection.

On the question being put, the Council divided.

*Ayes 2, Noes 10.*

So it passed in the negative and the Resolution was lost.

On the Order of the day being read for the committal of the Loan Bill.

Ordered to be postponed.

Pursuant to the Order of the day, the Hon. Mr. Havelock moved, the Hon. Mr. Humphreys seconding,

That an humble address be presented to His Excellency the Governor recommending that for the purpose of encouraging the manufacture of Sugar from Beet Root in the Colony, the following bounty be offered:—

For the first 100 bags of Sugar, containing 100 lbs. each, \$1,000; for the same quantity produced the next succeeding year \$150; for the same quantity produced the next succeeding year \$100; provided that the said Sugar be manufactured in the Colony, and from beet grown therein.

On the question being put, the Council divided.

*Ayes 10, Noes 4.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to a deferred Order, the Council went into Committee on the Loan Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Pemberton, the Council adjourned till 1 o'clock to-morrow.

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### Friday, the 19th day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, Sanders, Alston, Walkem, Holbrook, Robson, Humphreys, Ring, Pemberton, Drake, Havelock, Helmcken, Carrall, O'Reilly.

The Minutes of the previous Meeting were then read.

On the question of their being confirmed being put,

The Hon. Mr. Crease moved that a Protest on the subject of the vote on Confederation appearing therein be erased.

Whereupon a debate arose, which having terminated the Council divided.

*Ayes 8, Noes 10.*

So the motion was lost, and the Minutes were confirmed as read.

#### PROTEST.

The undersigned, Members of the Legislative Council of British Columbia, protest against the statements contained in the Protest placed yesterday upon the Journals against the vote of this Council on the subject of Confederation with Canada:—

1. Because the preamble thereto is wrong in principle, as reflecting upon the Council and as tending to restrict the undoubted right of the Council to discuss all matters relating to the Colony, and to come to a conclusion thereon.

2. Because, although it states that "It has been conceded by all that the admission of British Columbia into the Dominion of Canada is not likely to take place until the territory intervening has been admitted and more thickly settled," still that concession being only known by the result of the discussion, shews that the discussion itself was neither premature nor injurious.

3. Because it was necessary to pronounce an opinion upon the subject, for the following reasons:—

(a.) The present Session is the first held after a General Election, at which General Election the subject of Confederation was for the first time brought before the Constituencies, it was necessary for the Elected Members to express the opinion of their Constituents upon the subject.

(b.) The Council had, in answer to His Excellency the Governor's address at the opening of the Council, stated that "the important topics of Reciprocity and Confederation with Canada will be discussed, and trust that some satisfactory solution of these important questions will be arrived at."

(c.) The result of the discussion, differing from that arrived at in former Councils, proves the necessity, seeing that the last Resolution rescinds those of former Sessions.

(d.) The protestants themselves brought forward a Resolution pronouncing an opinion upon the subject, that Resolution however not being in accordance with their protest.

(e.) "Common report" tended to show that efforts were being made to induce Her Majesty's Government to join this Colony to the Dominion of Canada.

4. Because the second section of the said Protest is mere assertion.

5. Because the statement that "the Colonists resident upon the Mainland, together with a large minority in Vancouver Island, are nearly unanimous in favour of Confederation," is a mere assertion, but that all the Members returned by Vancouver Island were anti-Confederationists is a fact.

6. Because there is reason to believe that the statement "that all the Elective Members from the Mainland were returned as Confederationists" is incorrect; and "that every one of those Members join in this protest" is not a fact, because one Elected Member from the Mainland has not yet taken his seat in the Council.

(Signed) J. S. HELMCKEN, Victoria,  
M. W. T. DRAKE, Victoria,  
THOMAS L. WOOD, J.P.,  
HENRY HOLBROOK, J.P.,  
J. C. DAVIE, Victoria District.

The Hon. the Attorney General gave notice of 3 motions.

The Hon. Mr. Robson gave notice of motion.

On the Order of the day being read for the committal of the By-law Bill,  
Ordered to be postponed till Monday next.

Pursuant to the Order of the day, the Council went into Committee on the Probate Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Pemberton, Chairman of the Committee, stated that the Committee had risen without a report, so the Probate Bill lapsed.

Pursuant to the Order of the day, the Council went into Committee on the Fire Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported progress made, and asked leave to sit again.

Ordered that leave be granted for Monday.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p. m. on Monday next.

### Monday, the 22nd day of February, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Ring, Wood, Carrall, Helmcken, Drake, Walkem, Humphreys, Holbrook, Sanders, Robson, Pemberton, O'Reilly, Havelock, Davie.

The Minutes of the previous Meeting were read.

On the question of their confirmation being put, the Hon. Mr. Robson moved, the Hon. Mr. Carrall seconding:—

That the counter Protest now read in the Minutes of Friday's proceedings, be expunged.

Whereupon a debate arose, which having terminated, the Council divided.

*Ayes 8, Noes 12.*

The names having been taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Carrall,	The Hon. Messrs. Crease,
Havelock,	Hamley,
Humphreys,	Bushby,
Alston,	Helmcken,
Walkem,	Drake,
Trutch,	Wood,
Robson,	Davie,
Ball.	Sanders,
	O'Reilly,
	Pemberton,
	Ring,
	Holbrook.

So the amendment was lost, and the Minutes were confirmed.

The Hon. Mr. Holbrook gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in the St. Andrew's Church Incorporation Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time tomorrow.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Holbrook seconding, the following Resolution:—

That the Governor be respectfully asked to direct that a sum of \$3,000 be entered on the Supplementary Estimates, to be applied to the repair of the Bridges and Roads in the District of Nanaimo.

After which, the Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Crease moved, the Hon. Mr. Trutch seconding:

That an humble address be presented to His Excellency the Governor, requesting him to take the matter of Protests into consideration, and to send down to the Council a Standing Order regulating the insertion of Protests on the Minutes of the proceedings of the Council.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Davie seconding, the following Resolution:—

That an humble address be presented to His Excellency the Governor, recommending that certain arrears due School Teachers be paid out of the sum voted in the Estimates for School purposes.

On the question being put the Council divided.

*Ayes 7, Noes 8.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Robson seconding.

That there shall be three evening sittings of this Council per week during the remainder of this Session, viz.: on Mondays, Wednesdays, and Fridays. On such days, Mr. President shall leave the Chair at 5 o'clock p.m., without question put, and take the chair again at 7 o'clock p.m., at which time the business shall be taken up at the point where it may have been left off.

On the question being put the Council divided.

*Ayes 11, Noes 8.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Municipal Amendment Bill was read second time.

Ordered to be committed on Wednesday next.

On the Order of the day being read for the committal of the Mining Bill,

Ordered to be postponed till to-morrow.



On the Order of the day being read for the second reading of the Civil Cases Bill,  
Ordered to be postponed till Wednesday next.

On the Order of the day being read for the second reading of the Partnership Bill,  
Ordered to be postponed till Wednesday next.

On the Order of the day being read for the second reading of the Companies Bill.  
Ordered to be postponed till Wednesday next.

Pursuant to the Order of the day, the Road Bill was read first time.  
Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the  
Volunteer Bill.

Ordered to be read first time at once.

Read first time accordingly.

Second reading Ordered for Thursday next.

The Hon. Mr. Crease moved that the Council do now adjourn till 11 to-morrow.  
On the question being put the Council divided.

*Ayes, 6, Noes 11.*

So the motion was lost.

Pursuant to Order, the Council went into Committee on the By-Law Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman  
of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Thursday.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the  
Pre-emption Bill.

Ordered that the Bill be now read first time.

Read first time accordingly.

Second reading Ordered for Friday next.

Pursuant to the Order of the day, the Hon. the Attorney General introduced his  
Stipendiary Magistrates Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Wednesday.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock  
to-morrow.

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### Tuesday, the 23rd day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, Bushby, O'Reilly,  
Wood, Sanders, Drake, Helmcken, Carrall, Walkem, Robson, Alston, Ring,  
Havelock, Humphreys, Holbrook.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson, Chairman of a Select Committee, appointed to consider the Supreme Court Bill, brought up a Report.<sup>7</sup>

Ordered that the same be read.

Read accordingly.

The Hon. Mr. Crease moved that this Report be considered the day after to-morrow.

The Hon. Mr. Walkem moved, in amendment, that it be considered to-morrow.

On the amendment being put the Council divided.

*Ayes 12. Noes 8.*

So it was carried in the affirmative and Ordered accordingly.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Walkem gave notice of 2 motions.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Alston seconding, the following Resolution:—

That a Select Committee be appointed to draw up and submit for the approval of His Excellency, proper Standing Orders respecting the introduction of Private Bills, and regulating the fees to be charged thereon.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Council went again into Committee on the School Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time to-morrow.

On the Order of the day being read for the second reading of the St. Andrew's Church Bill,

A debate arose, during which,

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 10.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council the Returns respecting the Schools of Vancouver Island,<sup>8</sup> called for in their Resolution of the 12th of January.

*Government House,  
23rd February, 1869.*

On the question of the second reading of the above Bill being put, the Council divided.

*Ayes 10, Noes 4.*

So it was carried in the affirmative, and the Bill was read the second time.

Ordered to be committed on Thursday next.

<sup>7</sup> *Ibid.*, pp. v–vi.

<sup>8</sup> *Ibid.*, pp. vi–vii.

Pursuant to the Order of the day, the Road Bill was read a second time.

Ordered to be committed on Friday next.

Pursuant to the Order of the day, the Council went into Committee on the Draw-backs Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete.

Ordered to be read third time on Thursday next.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 11 o'clock, to-morrow.

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### Wednesday, the 24th day of February, 1869.

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Hamley, Trutch, Bushby, O'Reilly, Ball, Walkem, Wood, Pemberton, Robson, Helmcken, Carrall, Davie, Drake, Havelock, Ring, Sanders, Alston, Holbrook, Humphreys.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

Pursuant to the Order of the day, the School Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Common School Ordinance, 1869."

On the Order of the day being read for a motion relative to Customs Certificates, standing in the name of the Hon. Mr. Helmcken,

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Drake seconding, the following Resolution:—

That the Governor be respectfully requested to issue a Commission to revise and consolidate the Laws of the Colony.

On the question being put, the Council divided.

*Ayes 10, Noes 4.*

So it was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Ring seconding, the following Resolution:—

That a respectful address be presented to His Excellency the Governor, asking for copies of the correspondence relating to the demand of the Chief

Justice of Vancouver Island to retain certain portions of the Fees of the Inferior Courts of Civil Justice, and of the Bankruptcy Court.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in Law of Evidence Bill.

On the question being put, the Council divided.

*Ayes 14, Noes 4.*

So it was carried in the affirmative and Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Walkem asked leave to bring in the Replevin Bill.

On the question being put, the Council divided.

*Ayes 14, Noes 4.*

So it was carried in the affirmative and Ordered that leave be granted.

Pursuant to the Order of the day, the Council took into consideration the Report of the Select Committee on the Supreme Courts Bill.

The Hon. Mr. Robson moved that the Report be adopted.

The Hon. the Attorney General moved in amendment,

That an Ordinance to regulate the Supreme Courts of Justice of British Columbia be now read a second time, and that the Report of the Select Committee on the Supreme Courts Bill be considered in Committee of the whole House.

The Hon. Mr. Robson then withdrew his motion, leave having been granted.

On the motion of the Hon. the Attorney General being put,

It was carried in the affirmative and the Bill was read second time.

Ordered to be committed forthwith, and that the Report of the Select Committee be sent down to the Committee.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete, with amendments, and asked leave to sit again on the Report.

Ordered that the Bill be read third time to-morrow, and that leave be granted to the Committee to sit again presently.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 11.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to establish Banks for Savings within the Colony of British Columbia."

*Government House,  
23rd February, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 12.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance for promoting the Public Health in the Colony of British Columbia."

*Government House,  
23rd February, 1869.*



A further Message from His Excellency, read as follows:—

*Message No. 13.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to appropriate the sum of \$419,335.50, out of the General Revenue of the Colony, for the contingent service of the year 1869."

*Government House,  
23rd February, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 14.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to enable the Queen Charlotte Mining Company, Limited, to change their Registered Office from the City of New Westminster to the City of Victoria."

*Government House,  
24th February, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 15.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the appointment of Commissioners to take Affidavits and Bail."

*Government House,  
24th February, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 16.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Comparative Statement of Revenue and Expenditure of the Colony of British Columbia for the year 1867, as certified by the Auditor General.

The amount provided for by Acts for the service of	
the year was .....	\$706,853.30
The actual Expenditure .....	505,868.42
Leaving saved or unexpended .....	\$200,984.88

It will be seen, however, on reference to the details of expenditure, that there is included in the actual expenditure a sum of \$85,476.29 made up of disbursements either in excess of distinct votes or occasioned by the unforeseen requirements of the public service. These disbursements are consequently not covered by the Appropriation Act for the year.

It will also be seen by the enclosed Statement that the sum of \$12,073.76 is included in the disbursements of the year, on account of arrears of expenditure for Vancouver Island; and \$36,915.93 on account of arrears of the Mainland for previous years.

The Governor forwards a Bill to authorize this expenditure.

*Government House,  
24th February, 1869.*

Ordered that the above Message be printed, and the Bill now read first time.  
Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to Order, the Council went into Committee on the Report of the Select Committee on the Supreme Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That the Report of the Supreme Courts Bill be referred back to the Select Committee.

Ordered that the Report be referred back accordingly.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported that he had been directed to ask the Presiding Member if it were competent for the Committee to move the Resolution handed in.

The Hon. the Presiding Member deferred judgment.

According to Order, the Council went into Committee on the Municipal Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

The Council then adjourned during pleasure.

On the Council resuming its sitting, and pursuant to the Order of the day, the Civil Cases Bill was read second time.

Ordered to be committed at once.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

According to Order, the Partnership Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

On the Order of the day being read for the second reading of the Companies Bill,  
Ordered to be postponed till Friday.

Pursuant to the Order of the day, the Stipendiary Magistrates Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee on the said Bill accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted and the Bill read third time tomorrow.

Pursuant to the Order of the day, the Council went into Committee on the Cattle Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted and the Bill read third time on Monday. Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock, to-morrow.

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### Thursday, the 25th day of February, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Trutch, Bushby, Sanders, Carrall, Robson, Ball, Alston, Holbrook, Helmcken, Humphreys, Wood, Drake, Hamley, Crease, Pemberton, O'Reilly, Walkem, Ring, Davie.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson, Chairman of the Select Committee on the Supreme Court Bill, brought up a supplement to their Report, in the shape of an address to the Queen on the subject of the condition of the Courts of the Colony.

Ordered to be read.

Read accordingly.

Ordered that the Report be received and considered on Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved the following Resolution, the Hon. Mr. Robson seconding:—

That the Government be recommended to make provision for the establishment of a labour exchange, with an Office at New Westminster, and another at Victoria.

On the question being put, the Council divided.

*Ayes 9, Noes 7.*

So it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Robson asked leave to bring in Victoria City Water Bill.

Order that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved the following Resolution:—

That a sum of money (say \$500) be granted to any one who discovers the best line of road to Cowichan.

After which, the Hon. Member asked leave to withdraw the same.

Withdrawn accordingly.

On the Order of the day being read therefor, the Stipendiary Magistrates Bill was read the third time, and it was Resolved that this Bill do pass and that its title be "The Stipendiary Ordinance, 1869."

Pursuant to the Order of the day, the Partnership Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "The Partnership Ordinance, 1869."

Pursuant to the Order of the day, the Civil Cases Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Civil Procedure Ordinance, 1869."

On the Order of the day being read for the third reading of the Supreme Court Bill, The Hon. Mr. Drake moved that it be read third time this day six months. On the question being put, the Council divided.

*Ayes 8, Noes 11.*

The names, by request, having been taken down by the Clerk, as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Ring,	The Hon. Messrs. Crease,
Wood,	Hamley,
Davie,	Bushby,
Humphreys,	Alston,
Carrall,	Trutch,
Helmcken,	Sanders,
Drake,	O'Reilly,
Robson,	Holbrook,
Walkem.	Ball,
	Pemberton.

The vote was found to stand, *Ayes 9, Noes 10*, the Hon. Mr. Davie having voted in the negative, but on the names being taken down, claimed to have voted in the affirmative.

The claim was overruled by the Presiding Member, who declared the vote to stand as originally declared, *Ayes 8, Noes 11*.

So the amendment was lost.

On the question of the third reading of the Bill being put, the Council divided.

*Ayes 10, Noes 8.*

The names having been taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Crease,	The Hon. Messrs. Ring,
Hamley,	Wood,
Bushby,	Davie,
Alston,	Humphreys,
Trutch,	Carrall,
Holbrook,	Helmcken,
Sanders,	Drake,
Ball,	Robson.
O'Reilly,	
Pemberton.	



So it was carried in the affirmative, and the Bill was then read third time accordingly, and Resolved that this Bill do pass and its title be the "Supreme Courts Ordinance, 1869."

On the Order of the day being read for the third reading of the Drawbacks Bill,

The Hon. Mr. Drake moved that the Standing Orders be suspended to enable the said Bill to be recommitted.

The Standing Orders having been suspended, *nemine contradicente*, the Bill was recommitted.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill now complete.

Ordered that the Report be adopted and the Bill now read third time.

Read third time accordingly, and it was Resolved that this Bill do pass, and its title be the "Drawbacks Ordinance, 1869,"

The Hon. Mr. Holbrook *dissentiente*.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 17.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the Reconveyance of Vancouver Island to the Crown."

*Government House,  
25th February, 1869.*

On the Order of the day being read for the second reading of the Volunteer Bill.

Ordered to be postponed till to-morrow.

On the Order of the day being read for the committal of the By-Law Bill,

The question being put, the Bill lapsed, the motion to leave the Chair having been negatived.

Pursuant to the Order of the day, the Council went into Committee on the St. Andrew's Church Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to Order, the Council went into Committee on the Municipal Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted to sit again presently.

The Council adjourned during pleasure.

On resuming its sitting, the Council went again into Committee on the Municipal Bill.

On the Presiding Member resuming the Chair, the Hon. Walkem, Chairman of the Committee, reported progress made, and asked leave to sit again.

Ordered that leave be granted for Monday.

The Hon. Mr. Helmcken asked that the Standing Orders be suspended, to enable him to give notice of motion.

Motion negatived.

The Hon. Mr. Robson moved that the Standing Orders be suspended, to enable him to give notice of motion.

Standing Orders suspended, and the Hon. Member gave notice of motion.

The Hon. the Presiding Member, pursuant to a Resolution of yesterday's date, appointed the following Hon. Members as a Select Committee on Private Bills: The Hon. Messrs. Holbrook, Alston, Wood, Helmcken, Havelock.

The Hon. the Presiding Member gave his decision on a question of Order from the Chairman of the Mining Bill Committee, referred yesterday.

That the amendment offered was out of order, the clause to which it referred having been already reported complete, and the Report having been adopted.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 11 o'clock to-morrow.

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### Friday, the 26th day of February, 1869.

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The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Hamley, Trutch, Bushby, Sanders, Ball, Alston, Davie, Wood, Robson, Humphreys, Ring, Pemberton, Carrall, Havelock, Helmcken, O'Reilly.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Havelock seconding:

That an humble address be presented to His Excellency the Governor, recommending that the article of Boiler Tubes, having evidently been inadvertently omitted from the free list, may be included therein, and that the proper Officer be instructed to that effect.

On the question being put, the Council divided.

*Ayes 7, Noes 8.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Pre-emption Bill was read second time.

Ordered to be committed at once.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered to be read third time to-morrow.

Pursuant to Order, the Council went into Committee on the Road Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time on Monday.

The Council adjourned during pleasure.

On the Council resuming its sitting,

According to Order, the Companies Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Monday next.

Pursuant to the Order of the day, the Council went into Committee on the Volunteer Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the Bill complete.

Ordered that the Report be adopted and the Bill read third time on Tuesday.

Pursuant to the Order of the day, the Council went into Committee on the St. Andrew's Church Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time on Wednesday next.

Pursuant to the Order of the day, the Council went again into Committee on the Mining Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete.

Ordered that the Report be adopted, and the Bill read third time on Monday.

The Standing Orders having been suspended, on the motion of the Hon. Mr. Trutch, the Hon. Member gave notice of motion.

The Standing Orders having been suspended, on the motion of the Hon. the Attorney General, the Hon. Member gave notice of motion.

The Council adjourned during pleasure.

On the Council resuming its sitting,

Pursuant to the Order of the day, the Council went into Committee on the Loan Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Tuesday next.

Then, on the motion of the Hon. Mr. Ball the Council adjourned till 1 p. m. on Monday next.

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**Monday, the 1st day of March, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Bushby, Ring, Wood, Helmcken, Drake, Walkem, Humphreys, Pemberton, Davie.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

Pursuant to the Order of the day, the Cattle Bill was read third time, and it was Resolved that this Bill do pass, and that its title be the "Cattle Ordinance, 1869."

Pursuant to the Order of the day, the Pre-emption Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "The Pre-emption Payment Ordinance, 1869."

On the Order of the day being read for the third reading of the Road Bill,  
Ordered to be deferred till later in the day.

Pursuant to the Order of the day, the Mining Bill was read the third time, and it was Resolved that this Bill do pass, and its title be the "Mineral Ordinance, 1869."

Pursuant to the Order of the day, the Hon. Mr. Trutch introduced the Water Bill.  
Ordered to be read first time at once.  
Read first time accordingly.  
Second reading Ordered for Thursday next.

Pursuant to the Order of the day, the Hon. Mr. Crease asked leave to bring in Religious Institutions Bill.  
Ordered that leave be granted, and the Bill now read first time.  
Read first time accordingly.  
Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Supplemental Supply Bill was read second time.  
Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Fire Aid Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Municipal Bill.



On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported that no further progress was made, and asked leave to sit again.

Ordered that leave be granted for Wednesday next.

On the Order of the day being read for the consideration of Mr. Nicholson's Petition,

Ordered to be postponed till Wednesday next.

Pursuant to the Order of the day, the Council went into Committee on the Companies Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time on Wednesday next.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock to-morrow.

## Tuesday, the 2nd day of March, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, Bushby, O'Reilly, Wood, Drake, Helmcken, Carrall, Walkem, Alston, Ring, Humphreys, Havelock, Ball, Davie, Pemberton.

The Minutes of the previous Meeting were read and confirmed.

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Helmcken gave notice of 2 motions.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 18.*

FREDERICK SEYMOUR.

In compliance with the Resolution of the Legislative Council, the Governor forwards a Return shewing the amount of Revenue derived from Kootenay, during the year 1868.<sup>9</sup>

*Government House,  
1st March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 19.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance further to extend the time granted to the Harewood Colliery Company, Limited, by 'The Harewood Railway Company's Act, 1864,' for making and completing a Tramway from the Company's Mines to Departure Bay, Nanaimo."

*Government House,  
1st March, 1869.*

<sup>9</sup> *Ibid.*, p. vii.

A further Message from His Excellency, read as follows:—

*Message No. 20.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to regulate the Supreme Courts of Justice of British Columbia."

*Government House,  
1st March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 21.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to provide for the Fencing of Land in British Columbia."

*Government House,  
1st March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 22.*

FREDERICK SEYMOUR.

In compliance with a Resolution of the Legislative Council, dated 20th January, 1869, the Governor forwards a Return shewing the Revenue and Expenditure on account of the steamer Sir James Douglas, for the year 1868;<sup>10</sup> a Return shewing the Income and Expenditure on account of the Assay Office, for 1868, and the total amount of gold assayed at this office during the same year.<sup>11</sup> The probable amount of Gold taken out of the Mines cannot be stated.

The Governor also forwards Returns shewing the cost per diem of keeping a prisoner at New Westminster Gaol, and at the Victoria Gaol;<sup>12</sup> and likewise the amount expended during 1868, upon the Main Trunk Road of the Mainland portion of the Colony, and of the average annual expense of keeping it in repair.<sup>13</sup>

*Government House,  
1st March, 1869.*

Pursuant to the Order of the day, the Road Bill was read the third time, and it was Resolved that this Bill do pass, and its title be the "Road Ordinance, 1869."

Pursuant to the Order of the day, the Fire Bill was read the third time, and it was Resolved that this Bill do pass, and its title be the "Fire Companies' Aid Ordinance, 1869."

Pursuant to the Order of the day, the Religious Institutions Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Supplemental Supply Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

<sup>10</sup> *Ibid.*, p. vii.

<sup>11</sup> *Ibid.*, p. viii.

<sup>12</sup> *Ibid.*, p. viii.

<sup>13</sup> *Ibid.*, p. viii.

Pursuant to the Order of the day, the Volunteer Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Volunteer Ordinance, 1869."

Pursuant to the Order of the day, the Council went again into Committee on the Loan Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time on Friday next.

Pursuant to Order, the Council went into Committee on the Address to the Queen on the state of the Courts of the Colony, which had been prepared by the Select Committee on the Supreme Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That this Council thinks it advisable that Moselle Wine and Sauterne should be considered as being included in the term Claret, and that this Resolution be transmitted to His Excellency the Governor.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock to-morrow.

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### **Wednesday, the 3rd day of March, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, O'Reilly, Bushby, Alston, Ball, Drake, Helmcken, Davie, Humphreys, Ring, Wood, Carrall, Walkem, Havelock, Pemberton.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Helmcken gave notice of 2 motions.

Pursuant to the Order of the day, the Supplemental Supply Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "An Ordinance granting a Supplemental Supply of One hundred and thirty-four thousand four hundred and sixty-five dollars and ninety-eight cents, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the years 1866-7, respectively.

Pursuant to the Order of the day, the St. Andrew's Church Incorporation Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "St. Andrew's (Presbyterian) Church Ordinance, 1869."

Pursuant to the Order of the day, the Companies Bill was read third time, and it was Resolved that this Bill do pass, and that its title be the "Companies Ordinance, 1869."

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That the interests of the Colony demand, and it would be wise on the part of the Government to ordain, that the Customs Duties upon articles in which a trade can be carried on with Foreign Ports should be very materially reduced, at the earliest possible period.

On the question being put the Council divided.

*Ayes 9, Noes 2.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in the County Courts Declaratory Bill.

Ordered that leave be granted, and that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, respecting Court Fees,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Helmcken, respecting Beacon Hill Park,

Ordered that the same be postponed till later in the day.

On the Order of the day being read for the second reading of the Water Bill,  
The Bill lapsed.

On the Order of the day being read therefor, the Council went into Committee on the Municipal Amendment Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Walkem, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Pursuant to a deferred Order, the Hon. Mr. Helmcken moved, the Hon. Mr. Humphreys seconding,

That in the opinion of this Council it would be advantageous to transfer, by a proper Deed of trust, Beacon Hill Park to the Municipal Corporation of the City of Victoria, for the use of the Public.

Whereupon a debate arose, which having terminated, the Hon. Member asked leave to withdraw the same.



On the question of leave to withdraw being put, the Council divided.

*Ayes 4, Noes 8.*

So it passed in the negative.

On the original question being put, the Council again divided.

*Ayes 3, Noes 9.*

So it passed in the negative and the Resolution was lost.

Then, on the motion of the Hon. Mr. Humphreys, the Council adjourned till 1 o'clock to-morrow.

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### Thursday, the 4th day of March, 1869.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, Wood, Davie, Walkem, Carrall, Helmcken, Ring, Humphreys, Bushby, Drake, Pemberton.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Hon. Mr. Davie moved, the Hon. Mr. Drake seconding:

That the Indian Liquor Law, being both inoperative and mischievous, should be forthwith repealed.

Whereupon a debate arose, which having terminated the Council divided.

*Ayes 3, Noes 6.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Council took into consideration the Petition of Messrs. Jones and Hayward, window-sash manufacturers.

The Hon. Mr. Helmcken moved, the Hon. Mr. Davie seconding:—

That the Petition of Messrs. Jones and Hayward be forwarded to the Governor, with the request that the prayer be complied with.

On the question being put the Council divided.

*Ayes 4, Noes 6.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Carrall seconding.

That the Report of the Select Committee, appointed on the Drawbacks Bill, be transmitted to the Governor, with the humble request that the suggestions made in that Report may be carried out.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for the second reading of the Water Supply Bill, Ordered to be postponed till Monday next.

Pursuant to the Order of the day, the Council took into consideration the Petition of J. C. Nicholson.

The Hon. Mr. Helmcken moved, the Hon. Mr. Ring seconding,  
That a Select Committee be now appointed to enquire into the Petition of J. C. Nicholson.

On the question being put it was carried in the affirmative, and Resolved accordingly.

The Hon. the Presiding Member named the following Select Committee:—  
Hon. Messrs. Helmcken, Carrall, Walkem, Ball, O'Reilly.

Pursuant to the Order of the day, the Council went into Committee on the Religious Institutions Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered to be read third time on Tuesday next.

Pursuant to the Order of the day, the Council went again into Committee on the Address to the Queen on the subject of the position of the Courts of the Colony.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that no further progress was made, and asked leave to sit again.

Ordered that leave be granted for Tuesday next.

Then, on the motion of the Hon. Mr. Trutch the Council adjourned till 1 p. m. on Tuesday next.

## Tuesday, the 9th day of March, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Hamley, O'Reilly, Walkem, Wood, Drake, Helmcken, Carrall, Alston, Ring, Humphreys, Pemberton, Sanders, Ball, Davie, Robson.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 23.*

FREDERICK SEYMOUR.

The Governor has received certain Resolutions passed in the Committee of Supply of the Legislative Council of the 20th January, 1869.

The Governor agrees with the Council in the opinion that the present system adopted in keeping the public accounts of this Colony is of too complex a character, and one that leads to unnecessary expenditure. He will, therefore, place himself in

communication on the subject with the Secretary of State. He would, however, observe that the practice of doubly auditing the accounts of the Colony has been introduced and maintained solely for the protection of the public during the present undeveloped Legislative Constitution of the Colony.

2. The item of \$900 for the Revenue Officer, Burrard Inlet, shall be increased to \$1,200. The person appointed to the office shall be directed to act as Constable.

3. The Assistant Gold Commissioner at Cariboo has already been directed not to reduce the salaries of the Chief Constable and Clerk of the District.

4. The whole arrangements connected with the Lillooet-Clinton District are now under consideration.

*Government House,  
8th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 24.*

FREDERICK SEYMOUR.

The Governor lays before the Legislative Council a Despatch received from His Grace the late Secretary of State, in reply to one in which the Governor brought forward, very earnestly, the claim to compensation of such Public Officers as had, through no fault of their own, suffered grievous losses by the removal of the Seat of Government from New Westminster to Victoria.<sup>14</sup>

2. With equal earnestness, he presses the matter upon the favourable consideration of the Legislative Council; but the Session being so near its close, he should be glad to be authorized to deal with the question during the recess, assisted by an enlarged Executive Council.

*Government House,  
8th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 25.*

FREDERICK SEYMOUR.

The Governor has received the Resolution passed by the Legislative Council requesting him to take the matter of Protests into consideration, and to send down to the Council a Standing Order to regulate the insertion of Protests on the Minutes of the Proceedings of the Council.

The only case in which it appears to him that a protest will be required from dissentient Members of Council, is where the full force of the Government is used to carry a measure against the unanimous wishes and votes of the Un-official Members. In such a case it would be the duty of the Un-official Members to enter on the Minutes of the Council a protest setting forth the grounds of their objection, and require the Governor that he should transmit it for the consideration of the Secretary of State.

It is thus that in communities in which, from the absence of large constituencies, the Crown still retains the greater Legislative power, the responsibility of the Government can still be made effective.

The Secretary of State is responsible to Parliament, and Parliament is not slow to listen to any complaint of alleged misgovernment in the Colonies.

The Governor proposes to reconsider the Standing Orders before he again meets the Council.

*Government House,  
8th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 26.*

FREDERICK SEYMOUR.

The Governor, fully concurring in the Resolution passed by the Legislative Council on the 16th February, recommending the adoption of a scheme for the

<sup>14</sup> *Ibid.*, p. viii.

promotion of Female Emigration to this Colony, will place himself in communication on the subject, at once, with the Secretary of State.

*Government House,  
8th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 27.*

FREDERICK SEYMOUR.

The Governor sends down to the Legislative Council certain amendments to the Mineral Ordinance, 1869, calculated to improve its working.

*Government House,  
9th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 28.*

FREDERICK SEYMOUR.

The Governor sends down to the Legislative Council the "Cattle Ordinance, 1869," for the insertion of a suspending clause.

*Government House,  
9th March, 1869.*

The Hon. Mr. Drake presented a Petition of certain of the inhabitants of Victoria, in reference to the supply of Water.

Ordered to be read.

Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Davie gave notice of motion.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Helmcken gave notice of motion.

The Hon. Mr. Helmcken presented the Report of the Select Committee appointed to consider the Petition of J. C. Nicholson.

Ordered that the same be referred to Committee of the whole House.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported that no amendments had been made to the Report, and that the Committee recommend its adoption.

On the question of the adoption being put,

The Hon. the Attorney General moved, the Hon. Mr. Hamley seconding,

That the Report be printed, and its adoption postponed till it had been placed in the hands of Members.

On the amendment being put the Council divided.

*Ayes 5, Noes 10.*

So the amendment was lost.

On the original question being put, the Council again divided.

*Ayes 11, Noes 5.*



The names, by request, having been taken down by the Clerk, as follows:—

*Ayes.*

The Hon. Messrs. Ring,  
Wood,  
Davie,  
Humphreys,  
Carrall,  
Helmcken,  
Drake,  
Robson,  
Ball,  
Sanders,  
O'Reilly.

*Noes.*

The Hon. Messrs. Crease,  
Alston,  
Trutch,  
Hamley,  
Pemberton.

So the Report was adopted.<sup>15</sup>

On the motion of the Hon. the Attorney General, the Council went into Committee to consider the alteration proposed by the Governor to the Cattle Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the following Resolution for adoption by the Council:—

That the Governor be respectfully acquainted that this Council has concurred in the amendment proposed by His Excellency to the Cattle Bill.

Ordered that the Report be adopted.

On the Order of the day being read for the second reading of the Water Bill,  
Ordered to be postponed till Thursday.

Pursuant to the Order of the day, the Council went again into Committee on the address to the Queen on the subject of the condition of the Courts of the Colony.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted for Thursday.

Pursuant to the Order of the day, the County Courts Bill was read second time.  
Ordered to be committed at once.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress, and asked leave to sit again.

Ordered that leave be granted for Thursday.

Pursuant to a deferred Order, the Council went into Committee on the Municipal Amendment Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Pemberton, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted and the Bill read third time on Thursday.

<sup>15</sup> *Ibid.*, p. ix.

Pursuant to Order, the Religious Institutions Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Religious Institutions Ordinance, 1869."

Pursuant to Order, the Loan Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Investment and Loan Societies Ordinance, 1869."

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 29.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance for the better protection of Cattle, and the better prevention of Cattle Stealing."

*Government House,  
9th March, 1869.*

Then, on the motion of the Hon. Mr. Drake, the Council adjourned till 1 o'clock on Thursday next.

### **Thursday, the 11th day of March, 1869.**

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Trutch, Crease, Sanders, Carrall, Robson, Ball, Alston, Helmcken, Humphreys, Wood, Hamley, Pemberton, Davie, Havelock, O'Reilly, Walkem, Ring.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 30.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting Pre-emption Claims."

*Government House,  
10th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 31.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting Stipendiary Magistrates."

*Government House,  
10th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 32.*

FREDERICK SEYMOUR.

The Governor recommends that the following additions be made to the Bill entitled "An Ordinance to entitle Exporters of Goods to certain Drawbacks, and for other purposes":—

"Provided that this Ordinance shall not take effect until Her Majesty's approval thereof shall have been published in this Colony."

*Government House,  
10th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 33,*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to amend the Law of Partnership."

*Government House,  
10th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 34.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance granting a Supplemental Supply of \$134,465.98 out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the years 1866-7 respectively.

*Government House,  
10th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 35.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled the "Game Ordinance, 1869":—

That the words "but nothing herein contained shall be construed to prevent bona fide Settlers in Country Districts from killing or getting such Game at any season for their own consumption merely" be added at the end of Clause II.

*Government House,  
11th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 36.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendment be made in the Bill entitled "An Ordinance respecting the property of Religious Institutions in the Colony of British Columbia":—

That the words "after the consent of the Governor first had and obtained" be inserted after word "may" in Clause I., line 10.

*Government House,  
11th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 37.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to establish a Volunteer Force."

*Government House,  
11th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 38.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to provide for the maintenance, improvement, and construction of Roads in British Columbia."

*Government House,  
11th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 39.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the practise of Surgery, and for the encouragement of the Study of Anatomy."

*Government House,  
11th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 40.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to amend the procedure in Civil Cases."

*Government House,  
11th March, 1869.*

The Hon. Mr. Helmcken gave notice of 2 motions.

On the motion of the Hon. the Attorney General, the Council went into Committee to consider the amendment proposed by His Excellency to the Drawbacks Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That this Council humbly requests a conference with his Excellency the Governor, upon the subject of the Drawbacks Bill,

And asked leave to sit again.

Ordered that the Report be adopted, and leave granted.

On the motion of the Hon. the Attorney General, the Council went into Committee to consider the amendment proposed by the Governor to the Game Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That the Governor be respectfully acquainted that the Council has agreed to the amendment proposed by His Excellency to the Game Bill.

Ordered that the Report be adopted.

On the motion of the Hon. the Attorney General, the Council went into Committee to consider the amendment proposed by His Excellency to the Religious Institutions Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That the Governor be respectfully acquainted that the Council has agreed to the amendment proposed by His Excellency to the Religious Institutions Bill.

Ordered that the Report be adopted.

Pursuant to the Order of the day, the Municipal Amendment Bill was read the third time, and it was Resolved that this Bill do pass, and its title be the "Victoria Municipal Amendment Ordinance, 1869."



Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, that the Council consider in Committee, the Governor's Message No. 24, on the subject of compensation to certain officers.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Wood, Chairman of the Committee, reported the following Resolution for the adoption of the Council.

That the Governor's recommendation with regard to compensation to Public Officers be agreed to.

On the question being put, it was carried unanimously, and Resolved accordingly.

Pursuant to the Order of the day, the Council took into consideration His Excellency's Message No. 26, on the subject of Female Immigration.

The Hon. Mr. Robson moved, the Hon. Mr. Alston seconding:—

That an humble address be presented to His Excellency the Governor, respectfully and earnestly recommending the immediate appointment of a Local Board for the purpose of carrying out the Immigration Scheme adopted by this Council during the present Session, and the appropriation of the sum asked for.

On the question being put, it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Davie moved, the Hon. Mr. Helmcken seconding,

That His Excellency the Governor be respectfully requested to order that the future execution of the Law of Capital Punishment in this Colony be assimilated to that of England.

Whereupon a debate arose.

During which the Hon. the Presiding Member intimated to the Council that the Governor was prepared to grant the conference sought by the Council on the Drawbacks Bill.

The Council adjourned during pleasure.

On the Council resuming its sitting, the Hon. the Presiding Member acquainted the Council that a conference had taken place with the Governor, on the subject of the Drawbacks Bill.

The Council went into Committee to consider the subject.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That in accordance with the result of the conference had this day with the Governor, the Drawbacks Bill be respectfully referred back to His Excellency.

Ordered that the Report be adopted.

Discussion resumed on the Hon. Mr. Davie's motion on capital punishment.

The debate having terminated, and the question being put, the Council divided.

*Ayes 4, Noes 8.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Council went again into Committee on the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the motion of the Hon. the Attorney General, the Standing Orders suspended.

The Hon. the Attorney General then introduced the Indian Reserve Bill.  
Read first time.

Ordered to be read second time to-morrow.

The Council then adjourned during pleasure.

On resuming its sitting, the Council went into Committee on the amendments proposed by the Governor to the Mineral Lands Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported some progress, and asked leave to sit again.

Ordered that the Report be adopted, and leave granted for to-morrow.

Pursuant to the Order of the day, the Water Supply Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went again into Committee to consider the Address to the Queen, on the subject of the condition of the Courts of the Colony.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Address for the adoption of the Council:—

*To Her Most Gracious Majesty Victoria, By the Grace of God of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof, in Europe, Asia, Africa, America, and Australasia, Queen, Defender of the Faith &c., &c.*

The humble Petition of the Legislative Council of Your Majesty's Colony of British Columbia,

SHEWETH:—

1. That previous to "The British Columbia Act, 1866," passed by the Imperial Parliament of Great Britain, whereby the then separate Colonies of British Columbia and Vancouver Island were united into the existing Colony of British Columbia, each of such separate Colonies possessed a Supreme Court presided over by a single Judge, having sole authority within his Colony, with no appeal from his decision except to Your Majesty in Council, a proceeding too costly to be resorted to except in rare cases.

2. On the Union of the two Colonies of British Columbia and Vancouver Island, no provision was made by the Organic Act effecting such Union for the reconstruction of the Courts of Justice of the new Colony, and thus an important advantage anticipated from Union was not obtained. The new Colony still remained subject to two separate jurisdictions as before the Union; each portion of

the United Colony being, so far as the Administration of Justice was concerned, distinct and unconnected in every respect as if such Union had not taken place.

3. The Legislative Council of British Columbia during their Session in the year 1868, passed a Supreme Court Ordinance (No. 1 annexed hereto) whereby, a single Supreme Court was intended to be established in the existing Colony of British Columbia, presided over by one Chief Justice with one or more Inferior or Puisne Judges, with a constitution moulded in analogy to the Institutions of Great Britain, and those of Your Majesty's Colonial Possessions.

4. This Ordinance failed to meet with Your Majesty's approval, in consequence as your Petitioners infer, of the absence of any provision by way of pension for one of the Chief Justices, whose position would have been somewhat disadvantageously modified by the proposed change. We regret that such provision is beyond what the finances of this Colony can at present bear.

5. "The Supreme Courts Ordinance, 1869," (No. 2, annexed hereto) passed by the Legislative Council of British Columbia, during their present Session, in deference to the judgment of Your Majesty's advisers in England, continues the order of things existing previously to the Union of Vancouver Island with British Columbia, "until a vacancy be created by the death, resignation, or otherwise," of either of the existing Chief Justices of our two Supreme Courts. Although provision is made for mutual assistance being rendered by each of such Chief Justices to the other, yet this privilege is not given as matter of course, and as a right of the subject; but only as occasion may arise by favor, and with the consent of both of the existing Chief Justices.

6. For these reasons, your Petitioners regret to say that, to the best of their judgment, the Ordinance is not calculated to meet the requirements of their fellow Colonists, nor to sustain the high character which British Justice has generally enjoyed in Your Majesty's Dominions.

7. Your Petitioners deem it unnecessary to specify in detail the loss, the inconvenience, and the miscarriage of justice which have ensued, and which cannot but ensue in a Colony where there exists the anomaly of two Supreme Courts, whose jurisdictions are not concurrent, whose process can only run over separate and distinct portions of such Colony, and where no practical appeal can be had as of right from the decisions of single Judges. Your Petitioners, therefore, most earnestly and respectfully represent to Your Majesty, that the interests of your Subjects, in this your Colony, require the establishment of a single Supreme Court, presided over by a Chief Justice and one or more Puisne Judges, as indispensable to the due and impartial administration of Justice.

8. Your Petitioners would, therefore, humbly pray that Your Majesty may be pleased to take the circumstances of their case into Your most gracious consideration; and they would further, humbly solicit that as a practical solution of their difficulties, Your Majesty would be pleased to provide for one of the existing Chief Justices of Your Colony of British Columbia, as to Your Majesty may seem fit.

And Your Petitioners will ever pray.

Resolved, That this Report be adopted, and the address forwarded to His Excellency the Governor, with the request that the same may be transmitted to the Queen, through Her Majesty's Principal Secretary of State for the Colonies.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock, to-morrow.

### Friday, the 12th day of March, 1869.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Hamley, Trutch, Ball, Crease, Helmcken, Alston, Davie, Wood, Ring, Carrall, O'Reilly, Walkem.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 41.*

FREDERICK SEYMOUR.

With reference to the subject discussed in the conference the Governor had the honor to have yesterday with the Legislative Council, he has now to state that on deliberation he has determined not to assent to the Drawback Bill without instructions from Home. He will, however, forward it for the consideration of the Secretary of State by the earliest opportunity, with no unfavourable comments.

*Government House,  
12th March, 1869.*

The Hon. Mr. Helmcken presented a Petition from the inhabitants of Victoria, against the Water Supply Bill.<sup>16</sup>

Ordered to be read.

Read accordingly.

Ordered to lie on the table.

Pursuant to the Order of the day, the County Courts Bill was read the third time, and it was Resolved that this Bill do pass, and its title be "The County Courts Amendment Ordinance, 1869."

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Carrall seconding,

That His Excellency the Governor be humbly requested to take such means as he may deem advisable, to put a stop to the practice of the employment of Spies in this Colony, by the Government of the United States of North America.

Motion subsequently withdrawn, by leave.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked the Hon. the Acting Colonial Secretary, under what and whose authority Foreign steam-boats are allowed to carry Coal from Nanaimo, and land it upon the wharves at Victoria?

The Hon. the Acting Colonial Secretary replied.

Pursuant to the Order of the day, the Indian Reserve Bill was read a second time.

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted.

The Standing Orders having been suspended, the Bill was read third time, and it was Resolved that this Bill do pass and its title be the "Indian Reserve Ordinance, 1869."

Pursuant to the Order of the day, the Council went again into Committee to consider the amendments proposed by His Excellency to the Mineral Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

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<sup>16</sup> *Ibid.*, p. ix.



That the Governor be acquainted that the Council have agreed to the amendments to the Mineral Bill proposed by His Excellency.

The Council beg to recommend that in Section XVI, line 6, the word "ten" before the words "thousand dollars" be changed to "five."

Ordered that the Report be adopted.

Pursuant to the Order of the day, the Council went into Committee on the Water Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, stated that it had risen without a report.

So the Bill lapsed.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p. m. to-morrow.

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### **Saturday, the 13th day of March, 1869.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Trutch, Crease, Robson, Davie, Helmcken, Ball, Alston, Humphreys, Wood.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 42.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled the "Game Ordinance, 1869."

*Government House,  
13th March, 1869.*

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 3 o'clock on Monday next.

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### **Monday, the 15th day of March, 1869.**

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The Council met at 3 o'clock, pursuant to adjournment.

The Hon. the Acting Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Young, Crease, Trutch, Ball, Alston, Hamley, O'Reilly, Ring, Wood, Helmcken, Humphreys, Robson, Davie, Carrall, Havelock.

The Minutes of the previous Meeting were read and confirmed.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 43.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to enable the Municipal Council of the City of Victoria to establish a permanent fund for the support of the Fire Establishments of the said City."

*Government House,  
13th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 44.*

FREDERICK SEYMOUR.

The Governor recommends to the Legislative Council that the following amendments be made in the Bill entitled "An Ordinance to amend the "County Court Ordinance, 1867":—

That Clause II. be struck out. He is not prepared to say that the provision it contains may not be desirable hereafter;

That in lieu thereof a new Clause be inserted and become Clause II., that is to say:—

"Whereas doubts have arisen as to the effect of the Order of the Supreme Court of Civil Justice of Vancouver Island, made on the 3rd day of April, 1860; for the avoidance of all such doubts, be it enacted that no fees or moneys heretofore received from or on account of any proceedings in the Inferior or Summary Court of Civil Justice of Vancouver Island, shall be deemed to be or to have been due or payable or be paid to any Officer of the said Court, or other person whomsoever, but the same shall be and continue to be accounted for as part of the Revenue of the said Colony, any Rule, Law, or Order of any Court to the contrary notwithstanding."

*Government House,  
13th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 45.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to establish Public Schools throughout the Colony of British Columbia."

*Government House,  
13th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 46.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to facilitate the working of Mineral Lands."

*Government House,  
15th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 47.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the property of Religious Institutions in the Colony of British Columbia."

*Government House,  
15th March, 1869.*

A further Message from His Excellency, read as follows:—

*Message No. 48.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting Indian Reserves."

*Government House,  
15th March, 1869.*

On the motion of the Hon. the Attorney General, the Council went into Committee to consider the amendments proposed by the Governor to the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported the following Resolution for adoption by the Council:—

That the Governor be acquainted that the Council has agreed to the amendments proposed by His Excellency to the County Courts Bill.

Ordered that the Report be adopted.

The Hon. Mr. Carrall presented 2 Petitions from the inhabitants of Okanagan and Osoyoos Districts.

Ordered to be read.

Read aloud by the Clerk accordingly.

The Standing Orders having been suspended, the Hon. Mr. Carrall moved the following Resolution, the Hon. Mr. Helmcken seconding:—

That the above Petitions be transmitted to His Excellency the Governor.

On the question being put it was carried in the affirmative and Resolved accordingly.

A Message from His Excellency the Governor, which being read is as follows:—

*Message No. 49.*

FREDERICK SEYMOUR.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to amend 'The County Court Ordinance, 1867.'"

*Government House,  
15th March, 1869.*

After which, His Excellency Frederick Seymour, Esquire, Governor of the Colony, having entered the Council Chamber, attended by his Private Secretary, and, being seated in the President's Chair, made the following Speech proroguing the Council:—

*Honorable Gentlemen of the Legislative Council:*

It will be no less gratifying to you than it is to me to close, for a time, our Legislative labours. It would be ungrateful on my part did I not acknowledge the care and candour with which you have considered every measure which has come before you.

I have, likewise, to thank you for the spirit of initiation you have displayed, more conspicuously now than in any previous Session. The Government and people having vied to select the most eligible men to watch over the Public interests, I have felt it my duty to treat with the utmost respect all measures proposed by you.

It is unnecessary that I should mention all the Ordinances to which I have assented. As a rule, the Bills received from you have become Law.

I have, however, hesitated, from no want of good feeling, over the Bill to incorporate the Members of St. Andrew's Church. I do not like the Companies'

Bill. I have in another Colony, found the placing the Crown and the Subject on the same footing as regards Costs in Civil Actions work very badly. There is no precedent for the principles enunciated in the Investment and Loan Societies Bill, that I am aware of.

Understand, that not one of these proposed measures is finally disallowed. The Drawback Ordinance shall be forwarded with a favourable recommendation, by the earliest opportunity, to England, for instructions. Pending the receipt of them, I shall carefully consider how far my powers extend to remove any restrictions not absolutely required by law, which may appear to impede the operations of Commerce.

I am unable to concur with you in the alterations proposed in the Tariff and Excise. It is better to be faithful to a code, even when suspected of error, than to be constantly changing its details. I admit that our scale of taxation on Imports is not perfect, and I hope that I shall, before the next Session, be prepared to propose some amendments to it.

Turning to mere Executive matters, I will at once consider the question of paying the expenses of Elected Members of Council; though I say at the outset that the principle is a bad one.

I fully concur with you as to the propriety of appointing a Local Board for the furtherance of Female Immigration.

I think the question of a Law Library can be settled on a somewhat larger scale than contemplated.

The consolidation of the Laws of the two sections of the Colony shall receive earnest consideration during the recess.

The Magistrates are authorized, in their discretion, to pay suitable rewards for the destruction of Wolves and Panthers.

The support of the Government shall be given to the establishment of a Labour Exchange at New Westminster and Victoria. I shall communicate with Her Majesty's Consul at San Francisco, respecting the expediency of instituting an Emigration Agency towards these shores in that town.

Depend upon it that the interests of New Westminster and Burrard Inlet shall not be overlooked.

I shall gladly endeavour to secure a site for the deposition and continual exhibition of the natural and other productions of the Colony.

Your remonstrance as to the present position of the Supreme Courts shall not go Home unsupported.

Spring, the emblem of hope, has early come upon us, and I trust will secure a long season at the Gold Mines, and an early rich crop on the Farms. It would be wrong for us to despond when Nature is doing all for this Country of unbounded resources and most charming climate.

It seems to me impossible to believe that the attractions of British Columbia, though the bars of the Fraser have lost their wealth, will fail to obtain the notice of the world. I have the settled conviction that a few years will see this Colony among the most flourishing of Her Majesty's many possessions. Already individual well-being is universal.

With great satisfaction I proceed to relieve you from further attendance on your Legislative duties. I now prorogue Your Honorable Council, and the same is hereby prorogued accordingly.

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JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA  
15 FEBRUARY 1870 TO 23 APRIL 1870  
IN THE  
33<sup>RD</sup> YEAR OF THE REIGN OF HER MAJESTY  
QUEEN VICTORIA

BEING THE SEVENTH SESSION OF THE LEGISLATIVE COUNCIL  
OF BRITISH COLUMBIA



ROLL  
OF THE  
HONOURABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*

FOR THE SEVENTH SESSION OF THE LEGISLATIVE COUNCIL,  
BEING THE YEAR 1870, 33° VICTORIÆ.

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PHILIP J. HANKIN, COLONIAL SECRETARY AND PRESIDING MEMBER  
HENRY P. PELLEW CREASE, ATTORNEY GENERAL  
JOSEPH WILLIAM TRUTCH, CHIEF COMMISSIONER OF LANDS AND WORKS AND  
SURVEYOR GENERAL  
WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS  
ARTHUR THOMAS BUSHBY, ACTING POSTMASTER GENERAL  
EDWARD GRAHAM ALSTON, J. P.  
HENRY MAYNARD BALL, J. P.  
HENRY HOLBROOK, J. P.  
PETER O'REILLY, J. P.  
AUGUSTUS FREDERICK PEMBERTON, J. P.  
EDWARD HOWARD SANDERS, J. P.  
GEORGE ANTHONY WALKEM, J. P.  
THOMAS LETT WOOD, J. P.  
FRANCIS JONES BARNARD, YALE  
ROBERT WILLIAM WEIR CARRALL, CARIBOO  
AMOR DECOSMOS, VICTORIA DISTRICT  
EDGAR DEWDNEY, KOOTENAY  
MONTAGUE WILLIAM TYRWHITT DRAKE, VICTORIA CITY  
JOHN SEBASTIAN HELMCKEN, VICTORIA CITY  
THOMAS B. HUMPHREYS, LILLOOET  
DAVID BABINGTON RING, NANAIMO  
JOHN ROBSON, NEW WESTMINSTER.





BRITISH COLUMBIA.



ANTHONY MUSGRAVE.

{ L.S. }

## PROCLAMATION

By His Excellency ANTHONY MUSGRAVE, Governor and Commander-in-Chief of Her Majesty's Colony of British Columbia, Vice-Admiral and Ordinary of the same, &c., &c., &c.

*To the Honourable the Legislative Councillors of the said Colony, and every of them, and whom else it may concern;*

*Greeting.*

KNOW YE that I, ANTHONY MUSGRAVE, under and by virtue of all powers and authorities in me in that behalf vested, do hereby command and, by the tenor of these presents, enjoin you, and each of you, that on TUESDAY, the FIFTEENTH day of FEBRUARY, One thousand eight hundred and seventy, at the Council Chamber, Victoria, personally you be and appear FOR THE DISPATCH OF BUSINESS, to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and the Public Seal of the Colony, at Government House, Victoria, in the Colony of British Columbia, this twenty-second day of January, in the year of Our Lord one thousand eight hundred and seventy and in the thirty-third year of Her Majesty's Reign.

By His Excellency's Command.  
PHILIP J. HANKIN,  
Colonial Secretary.

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## VOTES AND PROCEEDINGS.

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**Tuesday, the 15th day of February, 1870.**

Pursuant to the above Proclamation, the Legislative Council met this day, the following Members being present:—

The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Helmcken, Carrall, Ring, Humphreys, Alston.

At 2 o'clock, the Presiding Member, the Hon. P. J. Hankin, Colonial Secretary took the Chair. The Presiding Member acquainted the Council that the Governor, in consequence of illness, would be unable to attend the Council in person, but had deputed him to read the opening Speech, and had furnished him with a *Dedimus Potestatem* to swear in Members, which he read as follows:—

L.S.

A. MUSGRAVE.

*To Philip J. Hankin, Esquire, Presiding Member of the Legislative Council of British Columbia, and whom else it may concern:*

*Greeting.*

KNOW YE that ANTHONY MUSGRAVE, ESQUIRE, Governor of the Colony of British Columbia, reposing especial trust and confidence in the fidelity, learning, and integrity of the said Philip J. Hankin, and under and by virtue of all powers and authorities him, the said Anthony Musgrave, as such Governor in that behalf enabling, hath appointed, and by these presents doth give and grant unto the said Philip J. Hankin full power and authority to administer the customary oath to the Members of the Legislative Council, during its present Session.

GIVEN under my hand and seal, at Victoria, British Columbia, this Fourteenth day of February, A. D. One thousand eight hundred and seventy, and in the 33rd year of Her Majesty's Reign.

The following Members were then introduced:—Amor DeCosmos, Esquire, Francis Jones Barnard, Esquire, to whom the Presiding Member administered the customary oath.

The Presiding Member then read the following gracious Speech from His Excellency:—

*Message No. 1.*

A. MUSGRAVE.

*Honourable Gentlemen of the Legislative Council:—*

An untoward accident has deprived me of the pleasure which I had anticipated from meeting you in person, on the first occasion of your assembling since I entered upon the administration of this Government. I desired the opportunity to assure you of my keen sense of the important trust which devolves upon me under the form of Constitution now prevailing in the Colony, and my earnest desire to discharge it with diligence and fidelity to the Community. I cannot delegate to others the authority and the duties which are confided to me. Complicated questions, conflicting interests, and divergent political opinions, all demand consideration, and practically upon them in many respects the decision must be mine. I assure you, gentlemen, that the labour is not light, nor can I easily acquit myself of the obligations incumbent upon me. But I believe that I may rely with confidence upon your loyal assistance in the performance of my duty. I count upon your co-operation in labouring for the attainment of our common object—the promotion of the prosperity of the Community with the protection of whose interests we are charged.

Soon after my arrival I was able to visit some of the most distant parts of the Government, including the principal Mining District. The observation of an impartial stranger viewing scenes and objects new to him is often of greater value than the careless notice of persons to whom they are more familiar. The impression which I received of the condition and prospects of the Colony was more favourable than I had been led to anticipate. To me the indications of certain progress and growth of prosperity seemed manifest. I saw with pleasure the application of science to the development of the Gold Mines of Cariboo. With equal satisfaction I witnessed the extending Agriculture, and ascertained the success of Stock-raising within our borders. Exportation of Coal and Lumber is increasing, while the information which I gathered went to shew that the spirit of excitement and speculation which is only too apt to be prevalent in Gold producing countries has gradually subsided, leaving in its place a healthier tone of feeling and sounder basis for commercial transactions.

Since my visit to the Mainland, recent discoveries of fresh Gold Fields have been reported, which if they prove to be important will tend to infuse new spirit into enterprise of all kinds, and will doubtless stimulate both trade and production. I have confidence in the future of British Columbia, if only her affairs are conducted with discretion; and at the base of all superstructure must lie the financial arrangements.

I shall lay before you at once the Estimates which have been prepared for the current year. The details will be explained by the Officers of the Government to whose Departments the several heads of appropriation relate.

They contain few besides the usual provisions. The most important addition is a proposed subsidy of (\$4,500) Four thousand five hundred Dollars, to the Western Union Telegraph Company, to assist in the maintenance of Telegraphic communication with Portland, and through Portland with the rest of the World. It was represented to me, upon evidence which I had no reason to doubt, that without this aid the communication would cease, and I have thought that under all the circumstances it may be with propriety afforded.

At the same time that application was made on this matter, the Telegraph Company offered to transfer to the Government their property in the line between Swinomish and Quesnelmouth as it stands, provided that the Government would undertake to repair, maintain, and work it. I caused careful enquiry to be made as to the probable cost to the Colony of such an undertaking, and found that it would amount to \$8,000 for this year, in excess of any receipts which can be expected. I have not thought myself justified in incurring this outlay in view of our financial position unless special provision can be made for it. I have not, therefore, placed it on the Estimates, but I will lay papers relating to the matter before you.

I have, however, included an appropriation of \$5,000 for the promotion of Immigration, to provide for a continuation of the experiment which has been made to assist the introduction of Female Immigrants, and in the hope that we may be able to organize the commencement of some practical arrangement to aid the Immigration of Agricultural Settlers. Interest is manifested in England on the subject of Emigration, and I will endeavour to use means for diffusing a knowledge of our resources.

The usual Votes which you will be asked to grant are computed with strict regard to economy. They contemplate augmented expenditure for Roads; but it has been found impossible to include provision for some matters to which I would gladly give attention. I desire to avoid Supplementary Estimates so far as it is practicable to do so, and not to exceed the provision authorized by you unless forced by great emergency.

The year closed with a balance against the public at the Bank of British Columbia amounting to \$27,000. I shall cause you to be furnished with Schedules of the Assets and Liabilities of the Colony on the 31st December last, which show a floating debt of large amount, for the repayment of which no fitting provision has been made. Until satisfactory arrangements are adjusted in respect of these liabilities it behoves us to be circumspect in sanctioning fresh disbursements.

I will submit to you a Bill to give authority for the consolidation of this debt, by the issue of fresh Debentures at six per cent., and to provide for its liquidation by a Sinking Fund.

I am aware that the complications arising from the existence of different Supreme Courts in the two sections of our United Colony have been the cause of much protest and discussion, you will, therefore, be glad to know that the difficulty in the way of more convenient arrangements has been removed by the promotion of the Chief Justice of Vancouver Island to another appointment. By the operation of the Ordinance passed by you during the last Session to regulate the Supreme Courts—to which the Queen's assent has been given—a single jurisdiction is now established for the whole Colony, which will be administered by the Chief Justice of British Columbia, with the assistance of a Puisne Judge. I know that strong representations have been made as to the importance of providing a local Court of Appeal by the appointment of a third Judge, but I think it may be well first to note the working of the present alteration in the Judicial arrangements before deciding to incur the increased expense which would be necessary for that purpose. In fact this, as well as many other questions, is to some extent dependent upon the greater one of the expediency of Union with the Dominion of Canada, which it is my duty to bring before you.

The Community is already acquainted with the Despatch which I have recently received from Her Majesty's Secretary of State on this subject; and the careful consideration of it cannot longer be deferred with courtesy to Her Majesty's Government, or advantage to the Colony. I commend it to your earnest thought. For my own part, I am convinced that on certain terms, which I believe it would not be



difficult to arrange, this Colony may derive substantial benefit from such an Union. But the only manner in which it can be ascertained whether Canada will agree to such arrangements as will suit us, is to propose such as we would be ready to accept. With the assistance of my Council, I have prepared a scheme which I shall cause to be laid before you. Resolutions framed upon that basis will enable me to communicate with the Government of Canada and ascertain whether they will be willing to accede to our propositions.

While the views of Her Majesty's Government have been clearly and forcibly expressed upon this question, I am sure there is no desire to urge the Union, except in accordance with its general acceptance by British Subjects in the Colony. I do not, therefore, propose that any terms agreed upon by the Government of Canada should be finally accepted until ratified by the general verdict of the Community, so far as that can be ascertained through another Council, of which the Unofficial Members shall have been re-elected.

The form of local Constitution must be to some extent modified in Confederation with the other Provinces; and even in anticipation of that event, I think that an enlarged application of the principle of Representative Government to the composition of your Honourable House would be expedient. I have already, by Her Majesty's permission, reconstituted the Executive Council by the addition of two Unofficial Members representing populous Districts, from whose advice I receive valuable assistance. I shall go further in the same direction, and on the same principle. I shall ask for authority so to reconstitute the Legislative Council as to allow the majority of its Members to be formally returned for Electoral Districts. And to a Council so reconstituted I should look for a final decision upon any terms to which the Government of Canada may express readiness to agree. Further than this I frankly admit that I do not think it would be wise to go. I have had experience of several forms of Colonial Government, and I have no hesitation in stating my opinion that the form commonly called "Responsible Government" would not be found at present suited to a community so young and so constituted as this. It is not known in any of the neighbouring States or Territories. Experience has shewn that the system is expensive in its results, and its operation is not successful except in more advanced communities, with population of more homogeneous character than ours. But it will of course, after Union, be open to the Local Legislature, with the concurrence of the Government of the Dominion of Canada, to adopt what modification it shall choose of the existing Constitution. I have declared my opinion to you with candour. I think that you will appreciate my motive. I wish to aid only in what I believe will conduce to the welfare and prosperity of the Colony.

I am glad to communicate to you that I have been acquainted by Lord Granville with the readiness of the Government of the United States to enter into a postal convention with British Columbia, which will be much more convenient to both parties concerned than the existing arrangements. It is proposed that the single rate of International postage on letters exchanged in either direction shall be six cents if paid in advance, and ten cents if unpaid, and that each office should retain all postage collected. This understanding will effect much simplification of the present Postal Regulations, and I have proposed that it shall come into operation at the beginning of the next Quarter of the Year.

Nearly all the Ordinances assented to by my Predecessor during last Session have received Her Majesty's sanction.

The Bill to incorporate the Members of St. Andrew's Church has, however, been disallowed, with the concurrence of the Colonial Committee of the Church of Scotland, to whom the measure was referred by the Secretary of State. And I have not yet received Her Majesty's decision upon the School Ordinance.

I shall lay before you a Despatch, with its enclosures, from the Secretary of State on the subject of the Drawbacks Ordinance of 1869. Pending your consideration of the information afforded by the Board of Trade and Commissioners of Customs, assent to this Bill is withheld. The operation of the Savings Bank Ordinance appears up to this time to be satisfactory. Some amendments may hereafter be required to facilitate the working of the Law, but so little time has been afforded for observing its effect that it seems unnecessary as yet to modify its provisions.

So many subjects of public interest are more or less affected by the larger question of the expediency of Union with the Dominion that some can scarcely be dealt with advantageously until consideration has been afforded to that proposed

measure. Among these is the propriety of altering the Tariff. My Predecessor referred this question for the consideration of a Commission appointed for the purpose. The Members have not agreed in opinion as to the course to be pursued. Under such circumstances I think that it would be undesirable to make any changes at present. It has been found from experience in other places of Commercial importance that frequent alterations in the Tariff are injurious to trade.

Certain Bills will, however, be submitted to you, chiefly having for their object the consolidation and assimilation of the Laws now in force in the two sections of the Colony relating to Land and the Registration of Titles.

You have before you, Gentlemen, most important subjects for your deliberation, and I will not detain you longer from the discharge of your duties.

I fervently hope that the Blessing of the Almighty Ruler of events may attend our labours, and direct our efforts for the good of the people of this community, and crown them with results promoting peace, justice, and prosperity.

*Government House,  
15th February, 1870.*

The Hon. the Presiding Member laid on the table the following papers:—

Proposed Terms of Confederation, as agreed upon by the Governor in Council;<sup>1</sup>

Papers on the subject of the Drawback Ordinance.

Ordered that the former be read.

Read aloud by the Clerk accordingly.

Ordered to be printed.

On the motion of the Hon. Mr. O'Reilly, the Hon. Mr. Sanders seconding,

Ordered that the Governor's Message and Enclosures be printed for the use of Members.

Moved by the Hon. Mr. Trutch, seconded by the Hon. Mr. Drake, and

Resolved, That a Select Committee, to be named by the Presiding Member, be appointed to draw up and submit a reply to His Excellency's gracious Speech.

The following Hon. Members were appointed:—Messrs. Trutch, Drake, Carrall, O'Reilly, Hamley.

The Hon. Mr. DeCosmos gave notice of 4 motions.

The Hon. the Attorney General moved the adjournment till 1 on Monday next.

The Hon. Mr. Helmcken, in amendment, till 1 on Friday next.

The amendment having been put and carried, the Council adjourned till Friday next, the 18th instant, at 1 o'clock.

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### Friday, the 18th day of February, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Pemberton, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Barnard, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

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<sup>1</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1870, pp. i-ii.

Edgar Dewdney, Esquire, Member for Kootenay, was then introduced into the Council Chamber, and, the customary oath having been administered, the Hon. Member took his seat at the Council Board.

The Hon. the Presiding Member laid on the table the Estimates for the year.

Ordered that the Council resolve itself into a Committee of Supply on Wednesday, the 22nd instant.

The Hon. Mr. Humphreys presented a Petition from the inhabitants of Lillooet.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Drake presented a Petition from the School Teachers of Vancouver Island before Union.

Ordered to lie on the table.

The Hon. the Attorney General gave notice of 2 motions.

The Hon. Mr. Barnard gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Drake gave notice of 2 motions.

Pursuant to the Order of the day, the Hon. Mr. Trutch, Chairman of the Select Committee appointed to draw up and submit a reply to His Excellency's opening Speech, handed in Report.

The Hon. Mr. Crease moved that the Report be adopted.

The Hon. Mr. DeCosmos moved, in amendment, that it be referred to a Committee of the whole Council.

On amendment being put it was carried in the affirmative and Resolved accordingly.

The Council went into Committee accordingly.

The Hon. Ball in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman reported that some amendments had been made by the Committee, and the reply as amended was handed in for adoption by the Council.

The amended Report was adopted as follows:—

*To His Excellency Anthony Musgrave, Governor of British Columbia.*

We, Her Majesty's dutiful and loyal subjects, Members of the Legislative Council of British Columbia, in Council assembled, sincerely regret the accident which has deprived us of the pleasure of personally meeting Your Excellency on this the first occasion of our being convened under Your Excellency's administration. At the same time, we are fully aware that you have, notwithstanding your illness, exerted yourself successfully to master many of the complicated questions which required immediate and pressing attention; and we can assure Your Excellency that you can command our cordial co-operation in all measures tending to the benefit of the Colony.

The visit which Your Excellency was enabled to pay to the Mining Districts of the Mainland, shortly after your arrival, has, we are confident, been productive of

a better appreciation of our local resources than could have been gained by you in any other manner; and we hope that the recent discoveries at Peace River will prove as beneficial to the Colony as you anticipate.

We concur with Your Excellency in thinking that the loss of Telegraphic Communication with the United States and the rest of the World would be severely felt by all classes of the community, and we trust that the steps which Your Excellency has taken will secure to us the permanent use of the line between Victoria and Portland; and though we regret the prospect of the Telegraph Company having to relinquish, for the present, their establishments on the Mainland, we yet hope that measures will be devised which will ensure the speedy re-opening of this line.

We regard the appropriation of \$5,000 for the promotion of Immigration as a step urgently needed, and one which will be viewed by all classes with unqualified satisfaction.

We agree with Your Excellency in thinking that, in the present position of our finances, the strictest circumspection ought to be used in sanctioning fresh disbursements, and we consider that a reduction of expenditure should be made wherever practicable.

The partial solution of the complicated Judicial question is a source of congratulation, and we trust that all causes of dissatisfaction in connection with the Judiciary system of this Colony will be speedily terminated.

We are aware that the subject of Confederation with the Dominion of Canada is the most important topic which will be brought under our consideration, and we will give it the attention which the magnitude of the question demands. The final reference of the subject to the popular vote cannot but commend itself as the most satisfactory decision which can be arrived at.

We view with satisfaction the liberal opinions expressed by Your Excellency on the subject of an enlarged representation, and the reconstruction of the Legislative Council on a more popular basis.

The new Postal treaty with the United States will greatly simplify the existing system, and will afford a considerable reduction in the present rates of postage.

All measures which are sent down for our consideration shall meet with our most earnest attention, and we hope our labours may result in the permanent good of the Colony. In conclusion, we trust that Your Excellency may soon be restored to health, and that under Divine guidance this Colony may increase in prosperity, and ere long surpass the brightest hopes of former years.

Resolved that the reply to the Governor's opening Speech, in consequence of His Excellency's illness, be presented to him by the Presiding Member.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That a Committee of five, of whom three shall be a quorum, be appointed to enquire into, and report without delay, the state of efficiency of the Department of Lands and Works, and to offer suggestions with a view to increase, if possible, its efficiency, and at the same time securing more economy in its working. That in case of difference of opinion a minority as well as a majority report be submitted to the Council. That the Committee be empowered to send for persons and papers, and that a copy of this Resolution be transmitted to His Excellency the Governor, respectfully requesting his co-operation, by instructing the Officer administering the Department of Lands and Works to allow the books, papers, and maps of the Lands and Works Department to be examined by the Committee.

Whereupon a debate arose, which having terminated, and the question being put, the Council divided.

*Ayes 4, Noes 14.*



On request, the names were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Barnard,	The Hon. Messrs. O'Reilly,
Robson,	Sanders,
Humphreys,	Ball,
DeCosmos.	Dewdney,
	Holbrook,
	Drake,
	Helmcken,
	Carrall,
	Alston,
	Wood,
	Pemberton,
	Bushby,
	Hamley,
	Crease.

The Hon. Mr. Ring not having voted, his vote was recorded with the Ayes, so the vote stood *Ayes* 5, *Noes* 14, and the Resolution was lost.

Pursuant to Order, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

This His Excellency the Governor be respectfully requested to inform this Council whether the Honourables R. W. W. Carrall and J. S. Helmcken were appointed Members of the Executive Council by virtue of an Order of Her Majesty in Council, or by authority of a Despatch from Her Majesty's Principal Secretary of State for the Colonies, or by both such authorities; and, if so, that such Order in Council, or such Despatch of the Secretary of State, or extracts therefrom, authorizing such appointments to the Executive Council, be communicated to this Council, and also that a copy of all correspondence between His Excellency the Governor and the Honourables R. W. W. Carrall and J. S. Helmcken pertaining to their invitation to become Members and to their nomination and installation as Members of the Executive Council be also laid before this Council for its information.

After some discussion the Hon. Member asked leave to withdraw the motion.

Motion withdrawn by leave.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That His Excellency the Governor be respectfully requested to communicate to this Council a Return setting forth:—

1. The amount of Road Tax assessed in 1869 in each Road District in the Electoral District Victoria No. 2;
2. The amount of Road Tax assessed for Land in each of the said Road Districts in 1869;
3. The amount of Road Tax assessed against Persons in 1869, excluding Land Road Tax, in each of the said Road Districts;

4. The amount of Land Road Tax in 1869, collected up to December the 31st, 1869, in and for each said Road District;

5. The amount of *per capita* or personal Road Tax for 1869, excluding Land Road Tax, collected in each said Road District;

6. The amount of Road Tax unpaid on 31st December, 1869, in each said Road District, showing total arrears for land, and total arrears for persons exclusive of land;

7. The names of the Collector or Collectors of Road Tax in and for each Road District, 1869;

8. The amount of Road Tax collected by each Collector;

9. The amount taken from the Road Tax Fund and expended in 1869 in each Road District, and how, where, and by whom expended;

10. Whether the expenditure on the Roads in each Road District in Victoria District No. 2, was made wholly from the Road Tax Fund or not, and if not, what amounts were expended in each of the said Road Districts out of the General Revenue, and where in each said Road District;

11. Number of persons resident in each said Road District in 1869 liable for Road Taxes;

12. Number of persons resident out of the Colony liable under "Road Ordinance, 1869," for Road Taxes in respect to land in each or in some of said Road Districts.

On the question being put it was carried in the affirmative and Resolved accordingly.

Tuesday, 1st, March, next, was fixed as the day on which the Attorney General would bring forward for discussion the Resolution for the Confederation of this Colony with the Dominion of Canada sent down in His Excellency the Governor's Speech.

Then, on the motion of the Hon. Mr. Drake, the Council adjourned till 1 o'clock on Monday next.

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### Monday, the 21st day of February, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Dewdney, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Alston, Pemberton.

On the Minutes of the previous Meeting being read, and the question of their confirmation being put, the Hon. Mr. DeCosmos moved that they be amended by the addition of the following words at the end:—

"On the Hon. Mr. DeCosmos' notice to fix a day to go into Committee of the whole on Confederation referred to in the Governor's Speech and the Resolution accompanying the same, being called by the President, Tuesday next, March 1st, was fixed upon on the suggestion of the Hon. Attorney General."

The Hon. the Attorney General moved, in amendment, that the following words be added:—

“Tuesday, the 1st March, next, was fixed as the day on which the Attorney General would bring forward for discussion the Resolution for the Confederation of this Colony with the Dominion of Canada sent down in His Excellency the Governor’s Speech.”

On the amendment being put the Council divided.

*Ayes* 12, *Noes* 3.

The names, on request, were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch, O’Reilly, Sanders, Ball, Dewdney, Holbrook, Barnard, Robson, Carrall, Bushby, Hamley, Crease.	The Hon. Messrs. DeCosmos, Humphreys, Ring.

The Hon. Messrs. Wood and Drake not having voted were recorded with the Ayes, so the vote stood *Ayes* 14, *Noes* 3, and the amendment was carried, and the Minutes of the previous day amended accordingly.

On the question being put whether the Minutes as amended should pass, the Council again divided.

*Ayes* 13, *Noes* 3.

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch, O’Reilly, Sanders, Ball, Dewdney, Holbrook, Barnard, Robson, Drake, Carrall, Bushby, Helmcken, Crease.	The Hon. Messrs. DeCosmos, Humphreys, Ring.

The Hon. Mr. Wood not having voted, his vote was recorded with the Ayes, so the vote stood *Ayes* 14, *Noes* 3, and the Minutes as amended were confirmed.

The Hon. the Presiding Member acquainted the Council that he had presented their Address to the Governor in reply to His Excellency's opening Speech, and that His Excellency had made the following rejoinder:—

*Message No. 2.*

A. MUSGRAVE.

*Mr. President and Honourable Gentlemen of the Legislative Council.*

I receive your address with much gratification. I anticipate with confidence the continuance of the cordiality of feeling with which our intercourse has happily commenced, and which, you may be assured, it will be my anxious desire to maintain throughout the period of my administration.

*Government House,*

*21st February, 1870.*

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Colonial Secretary whether the Government intend to make provision for the payment of arrears due to School Teachers, as set forth in the Journals of this House for 1869?

The Hon. the Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Land Registry Bill—

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Friday next—

and the Medical Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved, the Hon. Mr. Holbrook seconding,

That the Government be asked to provide for the removal, at once, of one of the Rocks in Fraser River known as the "Twin Sisters."

Subsequently the Hon. Member asked leave to postpone the question till the Estimates were under discussion.

Ordered that leave be granted.

Motion postponed accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. DeCosmos,

The Hon. Member asked leave to postpone the same till to-morrow.

Ordered that leave be granted.

Motion postponed till to-morrow accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston moved, the Hon. Mr. Drake seconding,

That His Excellency the Governor be respectfully requested to transmit to this Council a Return showing—



1. The Schools in existence under the "Common Schools Ordinance, 1869," on 31st December, 1869;

2. The names of the Teachers of the said Schools, and the Salaries paid or payable to them;

3. The sums granted to each Local Board out of the money voted for Educational purposes for the past year;

4. A Statement of Receipts and Expenditure by each Local Board up to 31st December, 1869;

5. The average number of pupils attending each of the said Schools during the past year;

On the question being put it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved the following Resolution:—

That a Respectful address be presented to His Excellency the Governor, praying that all Flour made from Wheat grown in the Colony be exempted from Road Tolls.

The Hon. Mr. Robson moved, in amendment, That a Select Committee be appointed to investigate the whole question of Road Tolls on Flour, Bran, Shorts, and Home-grown Produce.

On the amendment being put the Council divided.

*Ayes 17, Noes 2.*

So it passed in the affirmative and was Resolved accordingly.

The Hon. the Presiding Member named the following Hon. Members:—  
The Hon. Messrs. Trutch, Hamley, Robson, Alston, Humphreys.

Pursuant to the Order of the day, the Hon. Mr. Drake asked the Hon. Attorney General,—Whether it is the intention of the Government to make any alterations in the County Court Ordinance, with the view of effecting the better administration of Justice?

The Hon. the Attorney General replied.

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. Robson seconding,

That the consideration of the Despatches relative to the Drawback Bill be taken up on Friday next.

The Hon. Mr. Drake moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

#### PROTEST.

We, the undersigned Members of the Legislative Council, protest against the correctness of the record of the proceedings of the Legislative Council on Friday, February 18th, 1870, as amended by the Council on Monday, February 21st, 1870, with relation to the motion of the undersigned, A. DeCosmos, "That a day be fixed to go into Committee of the whole on the question of Confederation with Canada,

referred to in the Governor's Speech and Resolutions accompanying the same," for the following reasons:—

1. Because every Member of the Legislative Council has the right, in accordance with Parliamentary usage, to have recorded on the Journals of the Council any motion made by such Member, in conformity with Parliamentary law and the Rules and Orders governing the Council.

2. Because the above written motion, made by the undersigned, A. DeCosmos, on Friday, February 18th, 1870, and of which notice of motion had been given on Tuesday, February 15th, 1870, and which notice of motion had appeared in the Orders of the day for Friday, February 18th, 1870, and which was called in due course by the President of the Council on the last mentioned day, and was responded to by the undersigned, A. DeCosmos, was omitted from the Clerk's draft record of the proceedings of the Council on February 18th, 1870, and has not been mentioned or placed on the Journal of the proceedings of the Council, in accordance with Parliamentary usage and the Rules, Orders, and usage of this Council in such cases, and in conformity with the undoubted and established right of any and every Member of this Council.

(Signed) A. DeCOSMOS,  
T. B. HUMPHREYS.

*Council Chamber, 22nd February, 1870.*

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## **Tuesday, the 22nd day of February, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Pemberton, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Barnard, Robson.

On the Minutes being read and the question of the confirmation being put, The Hon. the Attorney General moved, the Hon. Mr. Dewdney seconding, That the Protest placed on the Minutes of the 21st instant by the Hon. Messrs. DeCosmos and Humphreys be erased.

The Hon. Mr. Helmcken moved, in amendment, that the third section be struck out.

On the amendment being put it was carried in the affirmative, and section 3 was struck out accordingly.

On the question that the remainder be struck out, it passed in the negative, after a division, *Ayes* 6, *Noes* 13, so the motion to strike out the whole Protest was lost, and the Minutes as amended were approved.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. the Attorney General introduced the Crown Grants Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

On the Order of the day being read for the second reading of the Medical Bill, and the question being put, the Council divided.

*Ayes 14, Noes 3.*

So it was read second time accordingly.

Ordered to be committed on Monday, the 28th instant.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That in view of the apparent imminence of Union with Canada, and in view of the paramount necessity for loyal and cordial co-operation on the part of the people of this Colony with the Government of Canada, in working out the institutions of the Dominion in case of such Union, and with the object of avoiding political agitation against Confederation, or for organic changes in the Constitution of the Colony after Union, to the injury of industrial questions, a Select Committee, embracing the Representative Element of the Council, be appointed and instructed to report without delay the outline of a Constitution for the Local Government of the Colony.

The Hon. Mr. Barnard moved, in amendment, the Hon. Mr. Holbrook seconding,

That the question of Constitutional changes be taken up after the question of Confederation has been submitted to the Council.

On the amendment being put it passed in the affirmative and was Resolved accordingly.

The Hon. the Attorney General moved the adjournment till 11 o'clock to-morrow.

The Hon. Mr. Robson till 1 o'clock to-morrow.

On the amendment being put it was carried in the affirmative, so the Council adjourned till 1 o'clock to-morrow.

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### Wednesday, the 23rd day of February, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Humphreys, Drake, Barnard, Carrall, Robson, Holbrook.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. Drake presented the Petition of Alexander Watson.<sup>2</sup>

Ordered to be read. Read aloud by the Clerk accordingly.

Ordered to be printed and lie on the table.

The Hon. Mr. DeCosmos gave notice of 2 motions.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. Barnard gave notice of motion.

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<sup>2</sup> *Ibid.*, pp. ii-iv.

Pursuant to the Order of the day, the Hon. Mr. Carrall moved—

That this Council, impressed with the conviction that the disestablishment of the Telegraph Line between Victoria and Cariboo will prove detrimental to the mercantile and other interests of the Colony, as well as forfeit our prestige abroad, respectfully recommend His Excellency the Governor to accept the line and plant from the Western Union Telegraph Company, and that if provision cannot be made for this service from existing sources of Revenue an additional one per cent. be placed on the Customs Revenue of the Colony for that purpose.

Ordered to be referred to Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Carrall moved—

That in view of the probable immigration to the Omineca Mines, and with the object of offering every facility for the ingress of both miners and supplies, this Council is of opinion that the Government should cause a survey and estimate of the cost of removing the rocks impeding the navigation of the Fort George and Cottonwood Canyons, and other obstructions in the Fraser between Fort George and a point, say 50 miles, below Soda Creek, during the present summer, so that a sufficient sum may be placed on the Estimates for 1871 for that purpose.

Ordered to be referred to Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved—

That a respectful address be presented to His Excellency, praying that such additional sum be placed on the Estimates as may be necessary to cover the cost of maintaining a fortnightly Mail Service between Cache Creek and the Southern Boundary, *via* Kamloops and the head of Lake Okanagan, and that he will cause a call for Tenders to be made for such service, and that the notice of call be published in the part of the District directly interested, and that a proper person be appointed there to receive such Tenders as may be offered, and forward the same to the Postmaster General.

Ordered to be referred to the Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Drake moved—

That a sum of \$1,000 be placed on the Estimates to enable the Colony to purchase Mr. Needham's valuable Library, for the use of the Supreme Court.

Ordered to be referred to the Committee of Supply.

Pursuant to the Order of the day, the Hon. Mr. Robson moved—

That an address be presented to His Excellency the Governor, recommending that such arrangements as will insure the regular transmission of Mails to and from Olympia may be made with the Steamer running between this Colony and that Port.

Ordered to be referred to Committee of Supply.

On the Order of the day being read for the consideration of the School Teachers' Petition,

The Hon. Mr. Drake moved, the Hon. Mr. Robson seconding,



That the consideration of the School Teachers' Petition be referred to a Select Committee.

On the question being put it was carried in the affirmative and Resolved accordingly.

The Presiding Member named the following Committee:—The Hon. Messrs. Drake, DeCosmos, O'Reilly, Ball, Pemberton.

Pursuant to the Order of the day, the Council went into Committee of Supply.

The Hon. Mr. Ball in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman reported that the Committee had instructed him to hand in the following Resolutions for the adoption of the Council, and to ask leave to sit again.

Ordered that leave be granted for to-morrow, and on the question being put Resolved that the following Supplies be voted:—

Governor .....	\$2,052
Legislative Council .....	900
Colonial Secretary .....	9,224
Treasurer .....	4,552
Auditor General .....	3,877
Chief Commissioner of Lands and Works .....	7,298
Customs .....	13,820

On the question being put, Resolved, That an address be presented to His Excellency the Governor, asking that \$300 be added to the salary of the Landing Waiter, New Westminster.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock to-morrow.

### Thursday, the 24th day of February, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Dewdney, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Carrall presented the Petition of Philip Cadell.

Not received, not being addressed to the Council.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Holbrook, moved, the Hon. Mr. Robson seconding,

That a respectful address be presented to His Excellency, asking for the establishment of a Labour Exchange, with an office at Victoria and New Westminster.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Dewdney asked the Government,—  
Whether it is their intention to appoint a Resident Magistrate at Kootenay?  
The Hon. the Colonial Secretary replied.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,  
That the Petition respecting County Court Judges be printed.  
Ordered accordingly.

Pursuant to the Order of the day, the Council went into Committee of Supply.  
The Hon. Mr. Ball in the Chair of the Committee.  
On the Presiding Member resuming the Chair, the Chairman reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted to sit again to-morrow.

On the question being put, Resolved, That the following Supplies be voted:—

Registrar General .....	\$ 485 00
Post Office .....	3,200 00
Judicial .....	5,960 00
Police .....	16,803 50
Kootenay District .....	7,512 00
Cariboo District .....	11,970 00
Yale District .....	4,320 00
Lillooet District .....	4,680 00
Nanaimo District .....	3,168 00

Resolved, That the Governor be requested to increase the salary of the two Door Guards and Cook in the Victoria Gaol to \$2 per day.

Resolved, That the Governor be recommended to increase the pay of the two Constables at New Westminster from \$1.75 to \$2 per day.

Resolved, That the Council recommend that the Sergeant of Police, Victoria, receive \$2.50 per diem.

Resolved, That the Governor be recommended that the pay of the two Convict Guards at Victoria be increased by 25c. per diem.

Resolved, That the Governor be recommended to increase the salary of the three Victoria Constables by 25c. per diem.

Resolved, That this Council is of opinion that a Resident Magistrate should be kept constantly at Kootenay.

The Hon. Mr. Trutch, Chairman of the Select Committee appointed to enquire into and report upon the desirability of remitting the Tolls at present collected on Flour, Bran, Shorts, and other home-grown Produce under the "Lillooet-Alexandria Road Toll Act, 1862," brought up a Report.

Ordered to be read. Read as follows:—

Your Committee report that there appears to be in certain respects an unequal pressure on farmers residing in the neighbourhood south of the Toll-gate as it is now situated at Clinton, tolls being exacted on cattle and produce taken from the farms below the gate, and levied again on the flour received back. To remedy this, your Committee propose that the gate placed now at Clinton should be moved to a point about a mile south of Soda Creek, by which means toll will be paid equally by all the farmers south of Soda Creek, on flour, &c., forwarded to Cariboo.

Your Committee would recommend, moreover, the repeal or alteration of the "Lytton-Alexandria Road Toll Act, 1862," in order that the toll levied on that part of the Road may be in all respects assimilated to the toll levied at Hope, Yale, and Douglas, under the "Road Toll Act, 1860," by which arrangement cattle and waggons will go free, and no toll will be collected on goods of any description brought through the gate at Soda Creek in a southerly direction.

Ordered to be printed and lie on the table.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. to-morrow.

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### Friday, the 25th day of February, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Pemberton, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Barnard, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

On the Order of the day being read for the second reading of the Registration of Titles Bill,

The Hon. the Attorney General moved that the second reading be postponed till next meeting of Council.

Ordered accordingly.

The Hon. Mr. Holbrook moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Drake,

Ordered to be postponed till Monday next.

On the Order of the day being read for the second reading of the Crown Grants Bill, Ordered to be postponed till Monday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Barnard, relative to a Road to Okanagan Lake,  
Ordered to be sent down to Committee of Supply.

On the Order of the day being read for the consideration of the Secretary of State's Despatch on the Drawbacks Bill,  
Ordered to be considered on Monday next.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, in reference to a road from Dog Creek to Soda Creek,  
Ordered to be postponed till Monday next.

Pursuant to the Order of the day, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted for Monday next, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Pensions .....	\$3,031 25
Revenue Services .....	1,000 00
Administration of Justice .....	5,000 00
Charitable Allowances .....	10,500 00
Education .....	10,000 00
Police and Gaols .....	12,000 00
Rent .....	1,000 00
Transport .....	35,000 00

And on the question being put, Resolved, That His Excellency the Governor be recommended to place an additional sum of \$5,000 upon the Estimates for Education.

Resolved, That His Excellency the Governor be respectfully requested to remove the residence of the Magistrate from Lillooet to Clinton.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock on Monday.

### Monday, the 28th day of February, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook.

The Minutes of the previous Meeting read and confirmed.



*Message No. 3.*

A. MUSGRAVE.

The Governor forwards to the Legislative Council a Bill authorizing Expenditure incurred in the years 1868-9, which was not covered by the Appropriation Ordinances for those years.

The Supplemental Supply required for 1868 is \$123,367 74.

Do., Do., 1869 is 78,217 30.

The details of these Expenditures are fully given in the Supplementary Estimates for those years, herewith forwarded.

These Expenditures may be classed under three heads:—

1. Arrears of previous years;
2. Short votes under usual heads of service;
3. Unforeseen or Contingent Expenditure.

As will be at once apparent from an examination of the Estimates enclosed, the arrears of previous years unpaid till the next year form the largest item.

The sums expended on account of short votes are inconsiderable.

With reference to unforeseen or Contingent Expenditure, the Governor has only to call attention to the following items as demanding particular notice:—

## 1868.

Compensation to Officers for loss of office .....	\$3,404 78
In aid of Hospitals .....	5,850 47
In aid of Schools .....	4,109 51
Removal of Seat of Government .....	4,129 10
Cariboo Mail Contract .....	15,253 00

## 1869.

Compensation to Officers, &c. ....	6,110 97
Mail to San Francisco .....	5,000 00
Assay Office, Cariboo .....	2,521 87
Aid to Fire Departments .....	2,000 00
Funeral Expenses of late Governor .....	2,060 77
Grant to Telegraph Company .....	2,250 00

The Governor need hardly remark that nearly all the Supplementary Expenditure was incurred prior to his assuming the administration of the Government of British Columbia.

The Bill herewith forwarded authorizes no fresh Expenditure, and is simply an indemnification for necessary disbursements beyond the annual votes.

*Government House,  
28th February, 1870.*

Ordered to be printed and sent down to the Committee of Supply.

The Hon. Mr. Barnard presented the Petition of the Settlers of the Okanagan Lake.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. DeCosmos presented the Petition of William Harrison.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Ring gave notice of motion.

The Hon Mr. Alston gave notice of 2 motions.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

On the Order of the day being read for Committee of Supply, and the question "That I do now leave the Chair" being put, the Hon. Mr. Barnard moved, the Hon. Mr. Robson seconding,

That all words after "that" be struck out, and the following words substituted:—

"An humble address be presented to His Excellency the Governor, setting forth the following:—

"1. That although the expense of conducting the Government of the Colony is out of all proportion to the number, need, and ability of the people, this Council is powerless to effect any material reduction after the Estimates are framed by the Executive and submitted in detail, without more or less disturbing the harmony and impairing the efficiency of the whole.

"2. That a large reduction in the expense of conducting the Government is imperatively demanded by the people.

"3. That such reduction can only be attained by a repeal of the Crown Salaries Acts, by a change in the present cumbrous and expensive system of keeping accounts, and by a further amalgamation of offices.

"4. That as these measures can only be attained by the Executive Government taking the initial steps, this Council, therefore, respectfully but most earnestly recommends His Excellency the Governor, as follows:—

"5. To send down to the Legislative Council, during the present Session, a Bill repealing the Crown Salaries Ordinance, in order that the following reductions may be made:—

"Governor .....	\$10,000
Colonial Secretary .....	3,000
Attorney General .....	2,000
Chief Commissioner of Lands and Works .....	3,000
Collector of Customs .....	3,000

"That the office of Treasurer be abolished.

"That the office of Chief Inspector of Police be abolished.

"6. To represent, without delay, to Her Majesty's Government the unwillingness and inability of the people to meet the expense entailed upon the Colony by the present system, and to urge the right of a Colony compelled to provide for every item of expenditure to adopt a more simple and economical system.

"7. Notwithstanding that the Estimates have undergone no change since coming from the hands of the Executive, owing to the inability of this Council effectively to deal with them, His Excellency the Governor is earnestly recommended to make such reductions meanwhile, as may be compatible with the safety and interests of the public, by further amalgamation of offices, or otherwise."

Moved, in amendment, by the Hon. Mr. Carrall, the Hon. Mr. Dewdney seconding,

"That this Council respectfully recommend His Excellency the Governor to take the question of amalgamation of offices and economy of the administration of the Government in every Department into his consideration, during the approaching recess, with a view to the preparation of the Estimates of 1871 in accordance with the requirements of the Colony."

On the amendment being put the Council divided.

*Ayes 2, Noes 11.*

So it passed in the negative and the Resolution was lost.

The Hon. Mr. DeCosmos moved that the original question be amended as follows:—

That in section 1, word “all” be struck out.

Put and lost.

That “this Council is,” after word “people,” in line 2, be struck out, and the following substituted: “the Representative Members of the Council are”

Put and lost.

That all the words after “reduction,” in line 4, be struck out, and words “in the Estimates” be substituted.

Put and lost.

In section 4, strike out word “only,” in 2nd line.

Put and lost.

That all words before “his,” in section 7, line 3, be struck out, and the word “that” substituted.

Put and lost.

On the original question being put the Council divided.

*Ayes 3, Noes 10.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Barnard,	The Hon. Messrs. O'Reilly,
Robson,	Sanders,
Drake.	Ball,
	Dewdney,
	Holbrook,
	Humphreys,
	DeCosmos,
	Alston,
	Wood,
	Pemberton.

So the Resolution was lost.

The motion to go into Committee of Supply was then put and agreed to.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for adoption by the Council, and to ask leave to sit again.

Ordered that leave be granted to sit again to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Conveyance of Mails	_____	\$35,600
Works and Buildings	_____	9,000

On the question being put it was Resolved,

That an address be presented to His Excellency, asking that a sum of \$500 be placed on the Estimates for the purpose of putting the Government House at Kootenay in repair, in anticipation of a Resident Magistrate being sent to that District.

That an address be presented to His Excellency the Governor, recommending that such arrangements as will insure the regular transmission of Mails to and from Olympia may be made with the Steamer running between this Colony and that Port.

That a respectful address be presented to His Excellency, praying that such additional sum be placed on the Estimates as may be necessary to cover the cost of maintaining a fortnightly Mail Service between Cache Creek and the Southern Boundary, *via* Kamloops and the head of Lake Okanagan, and that he will cause a call for Tenders to be made for such service, and that the notice of call be published in the part of the District directly interested, and that a proper person be appointed there to receive such Tenders as may be offered, and forward the same to the Postmaster General.

That the Council recommend that a sum of money be appropriated for a weekly Mail Service between Victoria and Metchosin, and that a further sum be appropriated, if necessary, to provide Mail communication between Victoria and Sooke.

That a Committee be appointed to enquire into and report upon the subject of Steam Ship Communication, and more especially the desirableness of subsidizing a British line of Steamers between Victoria and San Francisco or Panama.

The Presiding Member appointed the following Committee:— The Hon. Messrs. Hamley, Helmcken, Drake, Holbrook, Robson.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### **Tuesday, the 1st day of March, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Humphreys, Drake, Barnard, Carrall, Robson, Holbrook, Wood.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Wood gave notice of motion.

On the Order of the day being read for Committee of Supply, and the question "That I do now leave the Chair" being put, the Hon. Mr. DeCosmos moved,



That the Petition of William Harrison be referred to the Select Committee on the School Teachers Petition.

Ordered accordingly.

The motion to go into Committee of Supply was then put and carried.

The Council went into Committee of Supply accordingly.

The Hon. Mr. Ball in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question being put, Resolved, That the following Supplies be voted:—

Road, Streets, and Bridges \_\_\_\_\_ \$59,300

On the question being put, Resolved,

That His Excellency the Governor be respectfully recommended to appropriate the sum of \$250 in aid of the New Westminster Fire Department for the present year.

That His Excellency be respectfully recommended to cause the sum of \$1000 to be placed on the Estimates in aid of the Williams Creek Fire Brigade.

That His Excellency be respectfully recommended to increase the expenditure on the Comox Roads from \$300 to \$1000.

That His Excellency be respectfully recommended to increase the expenditure on Nanaimo Roads from \$600 to \$6000.

That His Excellency be respectfully recommended to make a grant of such additional sum as may be necessary to continue the Sleigh Road from Yale to New Westminster.

That His Excellency be respectfully recommended to place on the Estimates, in addition to the sum of \$2,500 already there for the purpose, a further sum of \$2,500 for repairing the Hope-Kootenay Trail.

The Hon. Mr. Humphreys moved the adjournment till 3 to-morrow.

The Hon. Mr. Trutch, in amendment, till 1 to-morrow.

The amendment having been put and carried, the Council adjourned till 1 o'clock to-morrow accordingly.

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### Wednesday, the 2nd day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. Helmcken gave notice of 2 motions.

The Hon. Mr. Ring gave notice of motion.

The Hon. Mr. Humphreys gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Supply.

The Hon. Mr. O'Reilly in the Chair of the Committee.

On the Presiding Member resuming the Chair, the Chairman reported that the Committee had instructed him to hand in the following Resolution for the adoption of the Council, and to ask leave to sit again.

Ordered that leave be granted for to-morrow, and that the Committee of Supply do stand as the first Order of the day.

On the question of the adoption of the Resolution being put,

The Hon. Mr. Helmcken moved that it be referred back to the Committee with instructions.

On the amendment being put the Council divided.

*Ayes 6, Noes 12.*

So the amendment was lost.

On the original question being put the Council again divided.

*Ayes 12, Noes 6.*

So it passed in the affirmative, and was Resolved,

That this Council, impressed with the conviction that the disestablishment of the Telegraph Line between Victoria and Cariboo will prove detrimental to the mercantile and other interests of the Colony, as well as forfeit our prestige abroad, respectfully recommend His Excellency the Governor to take measures to secure the continuance of such Telegraph Service during the present year, and if provision cannot be made for this service from existing sources of Revenue, to send down to this Council a Bill imposing an additional Customs due of two per cent. on the Customs Revenue to meet the expenditure that such Telegraph service may require.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p.m. to-morrow.

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### Thursday, the 3rd day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Robson.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Holbrook spoke to a question of privilege, in reference to some statements in the *British Colonist*.

The Hon. Mr. Humphreys gave notice of 2 motions.

The Hon. Mr. Drake gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. O'Reilly, Chairman of the Committee, reported that he had been instructed to hand in the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted, and that the Committee of Supply do stand as the first Order of the day to-morrow.

On the question being put, Resolved, That the following Supplies be voted:—

Miscellaneous Services .....	\$20,970 00
Interest .....	103,440 00
Drawbacks and Refunds .....	2,100 00
Immigration .....	5,000 00
Sinking Fund .....	30,197 50
Government Vessels .....	19,750 00
Lighthouses .....	10,270 00

On the question being put, Resolved, That a respectful address be presented to His Excellency the Governor, recommending that the Telegraph Company be asked to maintain the line to New Westminster as well as to Portland, for the subsidy of \$4,500 set down in the Estimates.

On the question being put, Resolved, That the Governor be respectfully acquainted that this Council considers it desirable that the Rock in the Fraser River known as the "Port Sister" be removed at the earliest possible period that funds for the purpose are at the disposal of the Government.

On the question being put, Resolved, That a respectful address be presented to His Excellency that the sum of \$3,918 be placed on the Estimates for the purpose of liquidating the claims of the School Teachers of Vancouver Island for 1867-8.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

### Friday, the 4th day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Dewdney, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Alston, Drake.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Drake presented the Petition of the Deluge Fire Company.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Helmcken moved that the Standing Orders be suspended.

Ordered accordingly.

Ordered that the said Petition be sent down to Committee of Supply.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Drake, Chairman of the Select Committee appointed to enquire into the Petition of the School Teachers, and that of William Harrison, handed in a Report.

Ordered to be read. Read as follows:—

Your Committee recommend that the prayer of the School Teachers should be granted. The claims have been incurred under the sanction of the late Board of Education, and have been reported by the Chairman of that Board to be due and unpaid.

The Committee beg to report that the following amounts should be paid:—

John Jessop .....	\$463
W. H. Burr .....	463
C. Bryant .....	386
W. Harrison .....	277
C. McKenzie .....	192
Mrs. H. Fisher .....	192
Miss Macdonald .....	228
Mrs. E. Fisher .....	109
C. N. Young .....	192
—Doughty .....	95
Rent, Central School .....	165
„ Congregational School .....	123
A. Waddington .....	579
	——\$3,464

We beg to report on the Petition of William Harrison, that it appears he has a claim for a certain amount, and we recommend the sum to be paid by the Government in case the School Board for the District do not pay the same.

Ordered to lie on the table.

Pursuant to the Order of the day, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to hand in the following Resolution and ask leave to sit again.

Resolved, That a supply of \$340,105.75 be granted for the contingent service of the year 1870.

On the question being put it was carried in the affirmative and Resolved accordingly.



On the question being put, Resolved, That a respectful address be sent to His Excellency, asking that the sum of \$1,000 be paid out of the General Revenue for the purpose of completing the purchase of a Steam Fire Engine for the Deluge Co.

On the question being put, Resolved, That the Unofficial Members of the Council be indemnified for their services in the Legislature, at the rate of \$5 per day for 30 days, and also for their travelling expenses from their residences to and from the Seat of Government.

Ordered that leave be granted to sit again at once.

Committee of Supply resumed.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council, and asked leave to sit again.

On the question being put, Resolved, That the following Supplemental Supplies be voted for the service of the year 1868:—

Governor .....	\$ 582 15
Legislative Council .....	66 74
Colonial Secretary .....	1,539 26
Treasurer .....	540 53
Assay and Refinery .....	504 15
Auditor General .....	520 87
Chief Commissioner of Lands and Works .....	1,027 79
Customs .....	767 08
Registrar General .....	7 75
Post Office .....	1,844 84
Judicial .....	632 85
Attorney General .....	601 49
High Sheriff .....	875 00
Police and Gaols .....	2,312 75
Gold and Assistant Gold Commissioners .....	5,403 37
Pensions .....	3,728 31
Revenue Services .....	2,153 09
Administration of Justice .....	1,724 62
Charitable Allowances .....	5,850 47
Education .....	4,109 51
Police and Gaols .....	3,742 99
Rent .....	90 41
Conveyance of Mails .....	21,643 49
Works and Buildings .....	19,595 33
Roads, Streets, and Bridges .....	9,612 19
Miscellaneous .....	11,621 04
Interest .....	832 34
Drawbacks and Refunds .....	2,595 61
Government Vessels .....	8,818 73
Lighthouses .....	1,142 80
Deposits .....	309 08

On the question being put, Resolved, that the following Supplemental Supplies be voted for the service of the year 1869:—

Governor .....	\$ 61 12
Legislative Council .....	347 20
Colonial Secretary .....	27 25
Collector of Customs .....	1,821 62
Registrar General .....	75 00
Post Office .....	1,310 04
Judicial .....	260 66
Police .....	413 69
Gold and Assistant Gold Commissioners .....	3,279 14
Revenue Services .....	1,468 67
Administration of Justice .....	3,833 99
Charitable Allowances .....	1,167 25
Education .....	376 00
Police and Gaols .....	4,587 19
Rent .....	260 83
Transport .....	5,129 97
Conveyance of Mails .....	5,769 75
Works and Buildings .....	2,309 93
Roads, Streets and Bridges .....	218 22

Ordered that leave be granted to the Committee to sit again on Monday.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock on Monday.

### Monday, the 7th day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook, Helmcken.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 4.*

A. MUSGRAVE.

The Governor lays before the Legislative Council a Bill entitled "An Ordinance to appropriate the sum of \$340,105.75, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the year 1870."

*Government House,  
7th March, 1870.*

On the motion of the Hon. Mr. Helmcken, the Supply Bill was read first time.

Ordered to be read second time at the next sitting of Council.

The Hon. Mr. Barnard presented a Petition from the inhabitants of Lytton, relative to Telegraphic communications.

Ordered to lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee of Supply.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following sums voted and Resolutions passed, and submitted the same for the adoption of the Council:—

That the following Supplementary Supplies be voted for the service of the year 1868:—

Transport .....	\$8,571 11
For 1869:—	
Pensions .....	6,110 97
Miscellaneous Services .....	19,774 09
Interest .....	10,169 66
Immigration .....	1,940 00
Drawbacks .....	258 84
Government Vessels .....	5,063 25
Lighthouses .....	1,133 11
Repayment of Deposits .....	1,049 86

On the question being put it passed in the affirmative and was Resolved accordingly.

On the question being put, Resolved, That a total Supplementary Supply of \$123,367.74 be granted for the service of the year 1868.

On the question being put, Resolved, That a total Supplementary Supply of \$78,217.30 be granted for the service of the year 1869.

Ordered that the Supplementary Supply Bill be read first time at once.

Read first time accordingly.

Ordered to be read second time at next sitting of Council.

On the Order of the day being read for the consideration of the subject of Confederation,

Ordered to be postponed till Wednesday next.

Pursuant to the Order of the day, the Council went into Committee on the Medical Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete, with amendments.

Resolved that the Report be adopted, and the Bill read third time at next sitting of Council.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked leave to bring in Agricultural Land Tax Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to bring in Water Supply Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked leave to bring in Crown Salaries Act Repeal Bill.

Ruled out of order by the President, the motion being substantially the same as one which had already been determined by the Council on 28th February.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Attorney General,—Whether it is the intention of the Government to allow the Chief Justice, or any Justice or Justices sitting as Judge of the Admiralty Court, to take Fees in addition to the Salaries provided for such Justices?

The Hon. the Attorney General replied.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Drake seconding,

That a respectful address be presented to His Excellency, asking that provision be made so that our local Newspapers may pass Free of Postage when passing through the Post Offices of the Colony.

On the question being put the Council divided.

*Ayes 10, Noes 6.*

So it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Land Registry Bill was read second time.

Ordered to be committed on Wednesday week.

Pursuant to the Order of the day, the Crown Grants Bill was read second time.

Ordered to be committed on Wednesday week.

On the Order of the day being read for the consideration of the Drawbacks Despatches,

Ordered to be postponed till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Attorney General,—What is the nature of the alterations which the Government propose to make in the Executive Council and in the Legislative Council that are referred to in His Excellency the Governor's opening Speech.

The Hon. the Attorney General replied.

On the Order of the day being read for the motion relative to Indian affairs,

Ordered to be postponed till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. Drake moved—

That this Council, in view of the discussion on Confederation, be furnished with copies of the Dominion Tariff.

Motion subsequently withdrawn by leave.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Attorney General,—If it is the intention of the Government to amend the law with respect to Water Rights for Agricultural purposes?

The Hon. the Attorney General replied.



Pursuant to the Order of the day, the Hon. Mr. Wood moved, the Hon. Mr. Alston seconding,

That in addition to the Returns moved for by the Hon. Mr. Alston with respect to Public Schools, His Excellency be respectfully requested to order a Return to be made of—

1. What (if any) provision has been made for the examination of Common School Teachers, as well regarding efficiency as character;

2. What (if any) provision has been made for the visitation and inspection of Common Schools;

3. What (if any) regulation has been made for due Returns being made of the Receipts and Expenditure of Common Schools;

4. What (if any) Rules and Regulations have been made for the management and government of Common Schools;

5. What (if any) provision has been made for the establishment and election of Local Boards;

6. What (if any) provision has been made for an Annual Report of the Common Schools of British Columbia for the past year.

On the question being put it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Chief Commissioner of Lands and Works for information with regard to the result of the Canadian Surveying party under Professor Bell, on the line of the projected Railway from the Dominion to British Columbia.

The Hon. the Chief Commissioner replied.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That His Excellency the Governor be respectfully requested to place before this Council Returns of the number of Pre-emption Claims taken up during the past and preceding year, and generally the locality thereof.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, relating to Fees for laying over Claims,

Ordered to be deferred till Wednesday week.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That His Excellency be respectfully requested to furnish Returns of the Exports during the past year (1869) from British Columbia.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Humphreys, relative to Enclosed Land,

Ordered that leave be granted to withdraw the same.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to bring in a County Court Amendment Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Magistrate for Lillooet for information relating to the practice of Stipendiary Magistrates authorizing the Sale of Strychnine to Indians.

The Hon. Mr. Sanders replied.

Pursuant to the Order of the day, the Hon. Mr. Humphreys moved, the Hon. Mr. DeCosmos seconding,

That His Excellency be respectfully requested to furnish this Council with Returns of the Revenue collected in the Lillooet District, including Road Tolls, Licences, Fines, Fees, &c.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Alston asked leave to bring in Common Schools Amendment Bill.

Ordered that leave be granted.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Wood seconding,

That a day be named by the President to consider the Petition of Alexander Watson.

The Hon. Mr. Alston moved, in amendment, the Hon. Mr. DeCosmos seconding,

That the consideration of Mr. Watson's Petition be referred to a Committee of the whole Council.

The Hon. Mr. Crease moved in amendment, the Hon. Mr. Bushby seconding,

That the consideration of the Petition of Alexander Watson be referred to a Select Committee.

On the last amendment being put the Council divided.

*Ayes 8, Noes 5.*

So it was carried in the affirmative and Resolved accordingly.

The Hon. the Presiding Member named the following Hon. Members:—  
The Hon. Messrs. Ball, DeCosmos, Sanders, Robson, Ring.

Pursuant to the Order of the day, the Hon. Mr. Ring asked leave to bring in Nanaimo Incorporation Bill.

Ordered that leave be granted.

Pursuant to Order, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That His Excellency be respectfully requested to lay before the Council a Return setting forth the amount of the respective Loans forming the funded Debt on January first, 1870, after deducting Sinking Fund; also the amount

of the Floating Debt at the same date; also the date at which the respective Loans will be payable.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Wednesday next.

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### Wednesday, the 9th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, O'Reilly, Sanders, Bushby, Ball, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken, Dewdney.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to certain statements which had appeared in the *British Colonist*.

The Hon. Mr. Carrall presented the Petition of Peter Eddy.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Drake gave notice of motion.

Pursuant to the Order of the day, the Supply Bill, 1870, was read second time.

Ordered to be committed forthwith.

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete without amendment.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Supplemental Supply Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. DeCosmos seconding,

That His Excellency the Governor be respectfully requested to furnish this Council with Returns of the total cost of the establishment and maintenance of the Assay Office and Mint at New Westminster and Cariboo, from the commencement down to 31st December, 1869.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Medical Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Medical Amendment Ordinance, 1870."

Pursuant to Order, the Council took into consideration the subject of Confederation with the Dominion of Canada.

The Hon. the Attorney General moved, the Hon. the Chief Commissioner of Lands and Works seconding,

That this Council do now resolve itself into a Committee of the Whole to take into consideration the Terms proposed for the Confederation of the Colony of British Columbia with the Dominion of Canada in His Excellency the Governor's Message to this Council.<sup>3</sup>

The Hon. Mr. Drake moved in amendment, the Hon. Mr. Ring seconding, That the question be postponed for six months.

Whereupon a debate arose, which having lasted some time,

The Hon. Mr. Trutch moved that the debate be adjourned.

Ordered accordingly.

Debate adjourned till to-morrow.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

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### Thursday, the 10th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Ball, Sanders, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Helmcken, Carrall, Humphreys, O'Reilly, Dewdney, Ring, Robson, Pemberton, Barnard.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Holbrook gave notice of 2 motions.

The Hon. Mr. Dewdney gave notice of motion.

Pursuant to the Order of the day, the Supply Bill was read third time, after a division of the Council.

*Ayes 15, Noes 3.*

And it was Resolved that this Bill do pass and its title be "An Ordinance to appropriate the sum of \$340,105.75, out of the General Revenue of the Colony, for the contingent service of the year 1870."

Pursuant to the Order of the day, the Supplemental Supply Bill was read third time, and it was Resolved that this Bill do pass and its title be "An Ordinance

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<sup>3</sup> See Appendix



granting a Supplemental Supply of \$201,585.04, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the years 1868-9 respectively."

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. Robson seconding, and it was Resolved,

That a respectful address be presented to His Excellency, requesting that the Real Estate Tax Lists for Vancouver Island be deposited in the office of the Registrar General of Titles for inspection.

Pursuant to the Order of the day, the Hon. Mr. Drake moved, the Hon. Mr. Helmcken seconding,

That a respectful address be presented to His Excellency, requesting that all Fines, Forfeitures, and Penalties inflicted by any Magistrate or Justice for the infraction of any By-law of the Municipal Council of the City of Victoria shall be paid into the Treasury of the City.

On the question being put the Council divided.

*Ayes 16, Noes 2.*

So it passed in the affirmative, and was Resolved accordingly.

Pursuant to the Order of the day, the Council resumed the adjourned debate on the subject of Confederation with Canada, which having lasted some time,

The Hon. Mr. Barnard moved that the debate be further adjourned till to-morrow.

Ordered to be adjourned accordingly.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

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### Friday, the 11th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Dewdney, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Alston, Drake, Barnard, Pemberton.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Dewdney gave notice of motion.

The Hon. Mr. Carrall gave notice of motion.

The Hon. Mr. DeCosmos spoke to a question of privilege, in reference to the reports appearing in the *British Colonist*.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Robson seconding,

That a respectful address be presented to His Excellency the Governor, asking that provision be made so that the Currency of the Island and the

Mainland be assimilated by making the English Florin pass as a legal tender at the same value as the American Half Dollar piece.

On the question being put the Council divided.

*Ayes 2, Noes 16.*

So the Resolution was lost.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Barnard seconding, and it was Resolved.

That a respectful address be presented to His Excellency, asking that Tenders be at once advertised for to find out the cost of removing the Sisters' Rock, below Yale.

Pursuant to the Order of the day, the Hon. Mr. Dewdney moved, the Hon. Mr. Drake seconding, and Resolved.

That His Excellency be respectfully requested to lay before this Council a copy of the instructions from the Secretary of State referred to in Governor Seymour's Circular to Heads of Departments in Vancouver Island, dated 20th November, 1866, whereby His Excellency was permitted to state that the reduction under Union would not fall exclusively on the Island Officials; also, that His Excellency may be pleased to inform this Council whether the Officers' Enabling Ordinance, 1867, which disabled the Officers of Vancouver Island, was assented to by the late Governor, if so, the date when such assent was given, and also all correspondence connected with the Officers' Enabling Ordinance.

Pursuant to the Order of the day, the Council resumed the adjourned debate on the subject of Confederation with Canada, which having terminated,

The Hon. Mr. Drake asked leave to withdraw his motion.

Ordered that leave be granted.

Motion withdrawn accordingly.

The original motion of the Attorney-General having been put it was carried unanimously and Resolved,

That this Council do now resolve itself into Committee of the Whole to take into consideration the Terms proposed for the Confederation of the Colony of British Columbia with the Dominion of Canada in His Excellency the Governor's Message to this Council.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported progress and asked leave to sit again.

Ordered that leave be granted to sit again on Monday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. on Monday next.

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## Monday, the 14th day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Ball, Bushby, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Carrall, Humphreys, Alston, Ring, DeCosmos, Dewdney, Barnard, Holbrook, Helmcken.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 5.*

A. MUSGRAVE.

In compliance with the Resolutions passed by the Legislative Council on the 7th instant, the Governor forwards the following Returns:—<sup>4</sup>

1. A Return in reference to Public Schools.
2. A Return of Exports for 1869.
3. A Return of Revenue collected at Lillooet in 1869.
4. A Return of Public Loans and Floating Debt.

*Government House,  
14th March, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 6.*

A. MUSGRAVE.

The Governor has received the Resolution of the Honourable Board of Legislative Council asking him to lay before them a copy of the Instructions from the Secretary of State referred to in Governor Seymour's Circular to the Heads of Departments of Vancouver Island, dated the 20th November, 1866, whereby His Excellency was permitted to state that the reduction under Union would not fall exclusively on Island Officials; and also that the Governor may be pleased to inform the Council whether the Officers' Enabling Ordinance, 1867, which disabled the Officers of Vancouver Island, was assented to by the late Governor; and if so, the date when such assent was given; and also all correspondence connected with the Officers' Enabling Ordinance. In reply, the Governor has the honour to acquaint the Council that he is not aware of any precedent which would justify him in communicating to the Council confidential instructions which may have been issued by Her Majesty's Government to the Governor's predecessors in matters entirely relating to Executive functions.

The Bill referred to by the Council as the Officers' Enabling Ordinance, 1867, was not assented to by the Governor's predecessor, as is obvious from the fact that it is not included among the Ordinances of the Colony, and the Governor is not aware of any correspondence on the subject.

*Government House,  
14th March, 1870.*

A further Message, read as follows:—

*Message No. 7.*

A. MUSGRAVE.

The Governor has had under consideration the Resolution transmitted to him by the Honourable Board of Council, recommending him to take measures to secure the continuance of Telegraphic services between Victoria and Cariboo during the present year, and if provision cannot be made for this service from existing sources of Revenue to send down to the Council a Bill imposing an additional Customs Revenue to meet the expenditure that such Telegraphic service may require.

The Council is aware that the Estimates of Revenue for the current year, after provision for the appropriations which have already been made, do not shew any

<sup>4</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1870, pp. iv-vi.

funds applicable to the proposed object. The Governor, therefore, in accordance with the recommendation of the Council, submits a Bill imposing for one year an addition of two per cent. upon the amount of duties at present raised under the Customs Tariff. The Governor wishes it to be understood that this Bill is presented to the Council in deference to its own wishes expressed to him.

*Government House,  
14th March, 1870.*

Pursuant to the Order of the day, the Council went into Committee on the Resolution sent down by the Governor embodying Terms for Confederation with the Dominion of Canada.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Committee suggested the adoption of the following portion of the Resolution sent down by His Excellency, embracing the Terms of Confederation with Canada, and sent in a Recommendation to His Excellency on certain points of such Resolution. The Chairman also asked leave to sit again.

Ordered that leave be granted for to-morrow, and that the Report be adopted as follows, the Hon. Mr. DeCosmos *dissentiente* to Sections 2 and 3:—

Resolved, That it is expedient that the Colony of British Columbia should be Confederated with Canada, on the following Terms and Conditions, that is to say:—

1. Canada shall be liable for the Debts and Liabilities of British Columbia existing at the time of Union.

2. The population of British Columbia shall, for the purpose of financing arrangements, be estimated at 120,000. British Columbia not having incurred debts equal to those of other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments in advance from the General Government, Interest at the rate of 5 per centum per annum on the difference between the actual amount of its indebtedness at the date of Union and the proportion of the Public Debt of Canada for 120,000 of the population of Canada at the time of Union.

3. The following sums shall be annually paid by Canada to British Columbia, for the support of the Local Government and Legislature, to wit:—

An Annual Grant of \$35,000, and a further sum equal to 80 cents a head per annum of the population of British Columbia, being estimated as aforesaid at 120,000, such grant equal to 80 cents a head to be augmented according to the increase of population, when such may be shewn, until the population amounts to 400,000, at which rate such grant shall thereafter remain.

#### Recommendation.

Resolved, That His Excellency be respectfully requested to strike out “\$35,000,” in Section 3, and insert in lieu thereof “\$75,000,” and that in Section 3, the population shall be “1,000,000” instead of “400,000.”

The Hon. Mr. Drake moved the adjournment till 1 on Wednesday.

The Hon. Mr. Robson, in amendment, till 1 to-morrow.

On the amendment being put the Council divided.

*Ayes 6, Noes 13.*

So the amendment was lost, and the Council adjourned till 1 o'clock on Wednesday.



### Wednesday, the 16th day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Crease, being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Pemberton, Ring, Alston, DeCosmos, Helmcken, Robson, Humphreys, Carrall, Holbrook, Wood.

The Minutes of the previous Meeting were read, amended, and confirmed.

The Hon. the Colonial Secretary entered the Council Chamber while the Minutes were being read, and took the Chair as Presiding Member.

The Hon. Mr. Holbrook gave notice of motion.

The Hon. Mr. Dewdney gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Resolution relative to Confederation.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that Sections of the Resolution had been passed as follows:—

4. The Dominion shall guarantee interest at the rate of 5 per centum per annum on such sum, not exceeding £100,000, as may be required for the construction of a first class Graving Dock at Esquimalt.

5. In addition to other provisions of this Resolution, Canada shall assume and defray the charges of the following Services.

*a.* Salary and Allowances of the Lieutenant Governor;

*b.* Salaries and Allowances of the Judges and Officers of the Supreme Court, and of the County Courts;

*c.* The charges in respect to the Department of Customs;

*d.* The Postal Department;

*e.* Lighthouses, Buoys, Beacons, and Lightships, and such further charges as may be incident to and connected with the services which by the "British North America Act, 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony, whose position and emoluments derived therefrom would be affected by political changes on the admission of this Colony into the Dominion of Canada.

7. The Dominion Government shall supply an efficient and regular fortnightly Steam Communication between Victoria and San Francisco by Steamers adapted and giving facilities for the conveyance of passengers and cargo.

With the following Recommendation, That His Excellency be respectfully requested to insert the word "Pensions" after "Allowances" in Subdivision *b*, Section 5., and asked leave to sit again.

Ordered that the report be adopted, and leave be granted to sit again to-morrow.

The Hon. Mr. Humphreys moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p.m. to-morrow.

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**Thursday, the 17th day of March, 1870.**

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The Council met at 1 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Ball, Sanders, O'Reilly, Walkem, Pemberton, Alston, Wood, Holbrook, Ring, DeCosmos, Humphreys, Robson, Dewdney, Carrall, Drake.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that Sections of the Resolution had been passed as follows, with recommendations, and asked leave to sit again:—

8. Inasmuch as no real Union can subsist between this Colony and Canada without the speedy establishment of communication across the Rocky Mountains by Coach Road and Railway, the Dominion shall, within three years from the date of Union, construct and open for traffic such Coach Road from some point on the line of the Main Trunk Road of this Colony to Fort Garry, of similar character to the said Main Trunk Road; and shall further engage to use all means in her power to complete such Railway communication at the earliest practicable date; and that Surveys to determine the proper line for such Railway shall be at once commenced; and that a sum of not less than One Million Dollars shall be expended in every year, from and after Three years from the date of Union, in actually constructing the initial sections of such Railway from the Seaboard of British Columbia, to connect with the Railway system of Canada.

9. The Dominion shall erect and maintain, at Victoria, a Marine Hospital, and a Lunatic Asylum, either attached to the Hospital, or separate, as may be considered most convenient.

The Dominion shall also erect and maintain a Penitentiary, or other principal Prison, at such place in the Colony as she may consider most suitable for that purpose.

10. Efficient Coast Mail Steam Service, in connection with the Post Office, shall be established and maintained by the Government of the Dominion, between Victoria and New Westminster, Nanaimo, and such other places as may require such services.

11. Whatever encouragement, advantages, and protection are afforded by the Dominion Government to the Fisheries of any of its Provinces, shall be extended in similar proportion to British Columbia, according to its requirements for the time being.

12. British Columbia shall participate, in fair proportion, in any measures which may be adopted, and Funds which may be appropriated by the Dominion, for the encouragement of Immigration.

**Recommendations.**

Resolved, That His Excellency the Governor be respectfully requested to insert the words "and maintain," after "traffic," and the word "and," between "construct" and "open," be left out.

Resolved, That His Excellency the Governor be respectfully requested to alter Clause 8, in such manner that the Section of the Main Trunk Road lying between Yale and New Westminster, may be included in the Coach Road which the Dominion Government is to be asked to construct within 3 years from the date of Union.

Ordered that the Report be adopted.

Leave having been granted to the Committee to sit again, and on the question being put as to when leave should be granted,

The Hon. Mr. Trutch moved that leave be granted at once.

On the question being put the Council divided.

*Ayes 10, Noes 7.*

The names, on request, being taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Trutch,	The Hon. Messrs. O'Reilly,
Ball,	Drake,
Barnard,	DeCosmos,
Robson,	Humphreys,
Helmcken,	Wood,
Carrall,	Ring.
Alston,	Hamley.
Pemberton,	
Bushby,	
Crease.	

So the motion was passed in the affirmative, and it was Ordered that leave be granted to sit again at once.

On the question being put "That I do leave the Chair," the Council again divided.

*Ayes 9, Noes 7.*

The names, on request, were taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Trutch,	The Hon. Messrs. O'Reilly,
Barnard,	Sanders,
Robson,	Drake,
Helmcken,	Humphreys,
Carrall,	DeCosmos,
Alston,	Wood,
Pemberton,	Hamley.
Bushby,	
Crease.	

So it passed in the affirmative and the Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Committee had passed a further Section of the Resolution as follows, with Recommendations, and asked leave to sit again:—

13. British Columbia shall be entitled to be represented in the Senate by Four Members, and by Eight Members in the House of Commons, until the year 18 , and thereafter the representation in the Senate and the House of Commons shall be increased subject to the provisions of the "British North America Act, 1867."

#### Recommendations.

That His Excellency be respectfully recommended to insert the figures "91" after the figures "18."

That His Excellency be respectfully recommended to add at the end of Clause 13, the following words:—

Provided, however, that the number of Members of the Senate shall never be reduced below the number of 4, and the number of the Members of the House of Commons below the number of 8.

Ordered that the Report be adopted, and leave granted to sit again to-morrow.

Then, on the notice of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock tomorrow.

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### Friday, the 18th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Pemberton, Wood, Alston, Holbrook, Walkem, DeCosmos, Humphreys, Carrall, Helmcken, Robson, Barnard, Drake, Ring, Dewdney.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Wood gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

The Hon. the Attorney General gave notice of motion.

The Hon. Mr. Wood rose to speak to a question of privilege, in regard to report of debate as appearing in the *British Colonist*.

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Committee had passed Section 14 as follows, and asked leave to sit again:—

14. The Union shall take effect on such day as Her Majesty by Order in Council (on an Address to that effect, in terms of the 146th Section of "The British North America Act, 1867") may direct; and British Columbia may, in such Address, specify the Districts, Counties, or Divisions, if any, for which any of the four Senators to whom the Colony shall be entitled shall be named—the Electoral Districts for which—and the time within which the first Election of Members to serve in the House of Commons shall take place.

Ordered that the Report be adopted and leave granted to the Committee to sit again on Monday.

The Hon. Mr. Drake moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Monday next.

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### Monday, the 21st day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, Walkem, Ring, Alston, DeCosmos, Humphreys, Robson, Barnard, Wood, Holbrook, Dewdney, Helmcken, Carrall, O'Reilly, Pemberton, Drake.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 8.*

A. MUSGRAVE.

In compliance with the Resolutions of the Legislative Council, of the 18th February and 7th March, the Governor forwards a Return in reference to Road Tax Collections in District No. 2.<sup>5</sup>

A Return of Pre-emptions in 1868-9.<sup>6</sup>

*Government House,  
21st March, 1870.*

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he was instructed to ask leave to sit again.

Ordered that leave be granted for to-morrow, after a division on motion of the Hon. Attorney General, That the Committee sit again at 7.30 this evening, as follows:—

*Ayes 6, Noes 14.*

The names, on request, being taken down by the Clerk as follows:—

*Ayes.*

The Hon. Messrs. Trutch,  
Holbrook,  
Barnard,  
Helmcken,  
Carrall,  
Crease.

*Noes.*

The Hon. Messrs. O'Reilly,  
Sanders,  
Ball,  
Dewdney,  
Robson,  
Ring,  
Humphreys,  
DeCosmos,  
Alston,  
Wood,  
Pemberton,  
Bushby,  
Drake,  
Hamley.

The Hon. Mr. Robson moved that the Standing Orders be suspended to enable him to give notice of motion.

Motion negatived.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

<sup>5</sup> *Ibid.*, pp. vi–vii.

<sup>6</sup> *Ibid.*, p. viii.

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**Tuesday, the 22nd day of March, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Ball, Sanders, O'Reilly, Walkem, Pemberton, Alston, Wood, Holbrook, Ring, DeCosmos, Humphreys, Robson, Dewdney, Carrall, Drake, Helmcken, Barnard.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Helmcken presented the Petition of certain Importers, of Victoria.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Holbrook gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Committee had passed the remaining Sections of the Resolution, as follows, and asked leave to sit again:—

15. The Constitution of the Executive authority and of the Legislature of British Columbia shall, subject to the provisions of "The British North America Act, 1867," continue as existing at the time of Union, until altered under the authority of the said Act.

16. The provisions in "The British North America Act, 1867," shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to and only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this Resolution) be applicable to British Columbia in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

With reference to Defences:—

a. That it shall be an understanding with the Dominion, that their influence will be used to the fullest extent to procure the continued maintenance of the Naval Station at Esquimalt.

b. Encouragement to be given to develop the efficiency and organization of the Volunteer Force in British Columbia.

Ordered that the Report be adopted, and that leave be granted to the Committee to sit again to-morrow.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

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**Wednesday, the 23rd day of March, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, O'Reilly, Wood, Dewdney, Helmcken, Holbrook, Ring, DeCosmos, Humphreys, Robson, Carrall, Alston, Drake, Barnard, Pemberton, Walkem.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council, and asked leave to sit again:—

Resolved, That it is highly desirable that the Agricultural, Horticultural, Orchard, and Dairy interests of British Columbia should be protected.

Ordered that the Report be adopted and leave granted to the Committee to sit again to-morrow.

Then, on the motion of Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### Thursday, the 24th day of March, 1870.

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The Council met at 1 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Bushby, Sanders, Dewdney, Ball, O'Reilly, Pemberton, Wood, Alston, Holbrook, Walkem, DeCosmos, Humphreys, Carrall, Helmcken, Robson, Barnard, Drake, Ring.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Council went into Committee on the Confederation Resolution.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Resolved, That in the opinion of this Council it is advisable that after Union Foreign Manufactured Articles in which a trade can be carried on with neighbouring Countries should be admitted into British Columbia at a low or nominal rate of duty, and generally that the Tariff should be made suitable to the Commercial requirements and conditions of British Columbia.

Resolved, That in the opinion of this Council, the Duties of Excise levied upon Malsters and Brewers under and by virtue of the Excise Laws of Canada would be detrimental if made applicable to British Columbia. That His Excellency be therefore earnestly requested to take such steps as he may deem advisable to bring the same to the notice of the Canadian Government, and further to take care that no Export Duties shall be charged on Spars exported from British Columbia.

Resolved, That this Council respectfully represent to His Excellency the Governor that in negotiating the Terms of Union of British Columbia with Canada, it is of the first importance to point out to the Government of that Dominion, that the circumstances of this Colony are in many respects so different from those of the Eastern Provinces, that the application of the present Canadian Tariff to this Colony, while reducing the aggregate burthen of

taxation, would injuriously affect the Agricultural and Commercial interests of this Community; and that it be therefore urgently impressed upon the Government, that it is absolutely necessary to our well-being under Confederation, that special rates of Customs Duties and special Customs Regulations be arranged for the Colony, in such manner as may be found practically most advisable, so as to secure, while our requirements in this respect remain as at present, an equal measure of protection to our Agricultural Products and of facility to our Commerce as are provided under the existing British Columbia Tariff.

Ordered that the Report be adopted, and leave granted to sit again to-morrow.

Then, on the motion of the Hon. Attorney General, the Council adjourned till 1 o'clock to-morrow.

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### Friday, the 25th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present, The Hon. Messrs. Hankin, Crease, Hamley, Ball, Sanders, Walkem, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Humphreys, Carrall, O'Reilly, Dewdney, Ring, Robson, Pemberton, Barnard.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. the Attorney General moved that the Standing Orders be suspended to enable him to introduce a Bill.

Standing Orders suspended accordingly.

The Hon. Member introduced the Courts Jurisdiction Bill.

Ordered to be read first time.

Read first time accordingly.

Standing Orders suspended to enable the Bill to be read second time.

Read second time accordingly.

Ordered to be committed at once.

The Council went into Committee accordingly on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time presently.

Pursuant to the Order of the day, the Council went into Committee on the Resolution relative to Confederation.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolutions for the adoption of the Council.

On the question being put it was Resolved,



That a respectful address be presented to His Excellency, recommending that the Dominion Government shall be requested to cause a Geological Survey of British Columbia to be made; such Survey to be commenced within one year after its admission into Union.

On the following Resolution being put,

That Canada shall purchase the Territory of Alaska and the State of Maine from the United States,

The Council divided.

*Ayes 7, Noes 13.*

So the Resolution was lost.

On the following Resolution being put:—

That His Excellency the Governor be respectfully requested to insert in the Terms of Confederation to be proposed to Canada, some such Clause as the following:—

All Public Works and Property of British Columbia at the time of admission to belong to British Columbia, except such Public Works and Property as shall properly belong to the Dominion under the "British North America Act, 1867," and such portion of the Main-Trunk Road through British Columbia, or other Roads then constructed, as may be necessary to complete a continuous line of Coach Road from a point at or below Yale to a point at the foot of the Eastern Slope of the Rocky Mountains, and that the same shall be free of Toll of every kind whatsoever,

The Council divided.

*Ayes 14, Noes 6.*

So it passed in the affirmative, and was Resolved accordingly.

A Message from His Excellency the Governor, read as follows:—

*Message No. 9.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance granting a Supplemental Supply of \$201,585.04, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the years 1868-9 respectively."

*Government House,  
24th March, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 10.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to appropriate the sum of \$340,105.75, out of the General Revenue of the Colony, for the contingent service of the year 1870."

*Government House,  
24th March, 1870.*

A further Message, read as follows:—

*Message No. 11.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting Practitioners in Medicine and Surgery."

*Government House,  
24th March, 1870.*

The Hon. Mr. Barnard moved that the Standing Orders be suspended.

Ordered accordingly.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock on Monday next.

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### Monday, the 28th day of March, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Ball, Bushby, Walkem, Sanders, O'Reilly, Wood, Robson, Pemberton, Drake, Humphreys, Alston, Ring, DeCosmos, Barnard, Holbrook, Helmcken.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. DeCosmos presented the Petition of certain Farmers of Vancouver Island.

Ordered to be read. Read accordingly.

Ordered to be printed and lie on the table.

The Hon. Mr. Helmcken presented the Petition of P. Cadell.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Helmcken presented the Petition of certain Colonists in reference to Registration Bill.<sup>7</sup>

Ordered to be read. Read accordingly.

Ordered to be printed and lie on the table.

The Hon. Mr. DeCosmos gave notice of 2 motions.

The Hon. Mr. Alston gave notice of motion.

On the Order of the day being read for the third reading of the Supreme Court Bill,

The Hon. the Attorney General moved that the Bill be recommitted.

Ordered accordingly.

The Council went into Committee again on the Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Bill had been amended and was now complete.

Report adopted.

Ordered to be read third time presently.

Pursuant to the Order of the day, the Hon. Mr. Humphreys asked the Hon. the Attorney General,—If Farmers who sell their own produce are compelled to take out a Licence to do so?

The Hon. the Attorney General replied.

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<sup>7</sup> *Ibid.*, pp. viii–ix.

Pursuant to the Order of the day, the Hon. Mr. Barnard moved, the Hon. Mr. Humphreys seconding,

That the Report of the Select Committee on Road Tolls be taken up as the first Order of the day to-morrow.

Resolved accordingly.

On the Order of the day being read for the first reading of the Customs Duty Bill,

The Hon. Mr. Helmcken moved, the Hon. Mr. DeCosmos seconding,

That this Bill be read first time this day six months.

The Hon. Mr. Alston moved, in amendment, the Hon. Mr. Walkem seconding,

That the Bill be referred to a Select Committee for their report thereon, and generally to devise the best means for maintaining the Interior Telegraphic system.

On the amendment being put the Council divided.

*Ayes 13, Noes 4.*

So it passed in the affirmative and was Resolved accordingly.

The Hon. the Presiding Member named the following Hon. Members:—  
The Hon. Messrs. Trutch, Helmcken, Hamley, Alston, Barnard.

The Hon. Mr. Helmcken having excused himself, the Presiding Member named the Hon. Mr. Drake in his stead.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Dewdney.

The Hon. Mr. Carrall moved that the consideration of the Petition of Peter Eddy do stand as the first Order on Wednesday.

Ordered accordingly.

Leave was then given to the Hon. Mr. Dewdney to bring in a Bill regulating the running at large of Bulls and Entire Horses.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Robson seconding,

That an address be presented to His Excellency, asking that provision be made in some way for preventing parties setting fire to the woods in the neighbourhood of Saw Mills during dry months of the year.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Wood moved, the Hon. Mr. Ring seconding,

That His Excellency be respectfully requested to recommend the Imperial Government to provide, by such means as may be deemed most advisable, for the payment of the Judge and Registrar of the Vice-Admiralty Court of British Columbia, by Salary and not by Fees.

The Hon. Mr. DeCosmos moved, in amendment, the Hon. Mr. Humphreys seconding,

That the Judge and Officers of the Supreme Court, except the Sheriff, discharge the duties of Admiralty Judge and Officers, without additional Salary, and that the Fees taken be paid into the Treasury.

On the amendment being put the Council divided.

*Ayes 3, Noes 12.*

So the amendment was lost.

On the original question being put the Council again divided.

*Ayes 13, Noes 2.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the School Bill was read first time.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Dewdney asked leave to bring in Game Bill.

On the question being put the Council divided.

*Ayes 12, Noes 2.*

So it passed in the affirmative and Ordered that leave be granted to bring in the said Bill.

Pursuant to the Order of the day, the Supreme Court Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Courts Jurisdiction Ordinance, 1870."

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock to-morrow.

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## **Tuesday, the 29th day of March, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Bushby, Sanders, O'Reilly, Ball, Walkem, Ring, Alston, DeCosmos, Humphreys, Robson, Barnard, Wood, Holbrook, Dewdney, Carrall, Drake.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Barnard gave notice of motion.

The Hon. Mr. Ring gave notice of 2 motions.

Pursuant to the Order of the day, the Council took into consideration the Report of the Select Committee on the Road Tolls.

The Hon. Mr. Barnard moved, the Hon. Mr. Holbrook seconding,

That the Report of the Select Committee on Road Tolls now under consideration be adopted, with the exception of that portion which relates to the removal of the Toll-gate at Clinton to Soda Creek; and that a respectful address be presented to His Excellency the Governor, asking that a Bill may be sent down, during this Session, for the purpose of assimilating the laws under which the Road Tolls are now collected, with the object of carrying out the recommendation of the Committee.



The Hon. Mr. Humphreys moved, in amendment, the Hon. Mr. DeCosmos seconding,

That the following words be added at the end of the Hon. Mr. Barnard's Resolution:—"and that, in the opinion of this Council, it is expedient to amend the Road Tolls Ordinance, so as to allow Home-grown Flour, Bran, and Shorts to pass over the Roads Free of Tolls; and that His Excellency the Governor be respectfully requested to send down a Bill for that purpose."

On the amendment being put, the Council divided.

*Ayes 14, Noes 3.*

So it was carried in the affirmative.

On the original question as amended being put, the Council again divided.

*Ayes 14, Noes 3.*

The names, on request, being taken down by the Clerk as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. O'Reilly,  
Sanders,  
Ball,  
Alston,  
Walkem,  
Dewdney,  
Barnard,  
Robson,  
Drake,  
Carrall,  
Holbrook,  
Humphreys,  
DeCosmos,  
Ring.

The Hon. Messrs. Pemberton,  
Hamley,  
Crease.

The Hon. Messrs. Helmcken and Bushby not having voted, their vote was counted in the affirmative, so the vote stood *Ayes 16, Noes 3.*

So it was carried in the affirmative and Resolved accordingly.

The Hon. Mr. Drake moved that the Standing Orders be suspended to enable him to present a Petition.

Ordered accordingly.

The Hon. Member presented a Petition of the Victoria Fire Co.

Ordered to be received, and to lie on the table.

Pursuant to the Order of the day, the Council took into consideration the Report of the Select Committee appointed to enquire into the Petition of the School Teachers.

The Hon. the Attorney General moved, the Hon. Mr. Hamley seconding,

That the Report of the Select Committee on the arrears payable to Common School Teachers be adopted, with the exception of the recommendation of the claims of the Superintendent and Mr. Harrison.

On the question being put the Council divided.

*Ayes 8, Noes 5.*

The names, on request, were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Crease,	The Hon. Messrs. Robson,
Hamley,	DeCosmos,
Bushby,	Wood,
Holbrook,	Pemberton,
Ball,	Drake.
Sanders,	
O'Reilly,	
Dewdney.	

The Hon. Mr. Alston not having voted was counted in the affirmative, so the vote stood *Ayes* 9, *Noes* 5, and the Resolution was carried.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Attorney General,—Whether it is the intention of the Government to introduce an Ordinance, this Session, to prevent our Coasting Trade being thrown open to Foreign Vessels, under the operation of a recent Imperial Act?

The Hon. the Attorney General replied.

On the Order of the day being read for the Committal of the Registration of Titles Bill,

Ordered to be postponed till to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Crown Grants Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that he had been instructed to ask leave to re-commit Clause 8 of the Bill, for the purpose of altering the same, and that the Standing Orders might be suspended for that purpose.

Standing Orders suspended and leave granted.

The Council went again into Committee.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that Clause 8 was still under consideration, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 p.m. to-morrow.

### Wednesday, the 30th day of March, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Walkem, Hamley, O'Reilly, Sanders, Bushby, Ball, Holbrook, Wood, Ring, Alston, DeCosmos, Humphreys, Barnard, Robson, Drake, Carrall, Pemberton, Helmcken, Dewdney.

The Minutes of previous Meeting read and confirmed.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Barnard gave notice of motion.

Pursuant to the Order of the day, the Council took into consideration the Petition of Peter Eddy.

The Hon. Mr. Carrall moved, the Hon. Mr. Robson seconding.

That the Petition of Peter Eddy be referred to a Select Committee.

The Hon. Mr. Humphreys moved in amendment, the Hon. Mr. DeCosmos seconding,

That the Petition of Peter Eddy be referred to a Committee of the Whole Council, and that the Petitioner be heard by Counsel at the Bar of the House.

The Hon. Mr. Ring moved in amendment, the Hon. Mr. Alston seconding,

That in the opinion of this Council it is necessary that a Court of Appeal be constituted at the earliest practicable period, in order that Peter Eddy may have the opportunity of bringing his case before it.

The Hon. Mr. Drake moved in amendment, the Hon. Mr. Walkem seconding,

That the Petition of Peter Eddy be referred to His Excellency the Governor, with a recommendation that he will take the same into his consideration, and grant such relief as the nature of the case demands.

On the last amendment being put the Council divided, *Ayes* 14, *Noes* 4.

So the last amendment was carried, and it was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That the Petition respecting Subsidies to Flour Mills be considered in Committee of the whole Council.

On the question being put it passed in the affirmative and was Resolved accordingly.

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended to enable him to give notice of a motion he proposed moving in the said Committee of the whole Council.

Ordered accordingly.

The Hon. Member gave notice of motion.

The Hon. Mr. Drake moved that the Standing Orders be suspended to enable him to call up a Petition from the Victoria Fire Department.

Ordered accordingly.

Petition called up.

The Hon. Mr. Drake moved, the Hon. Mr. Helmcken seconding, and it was Resolved,

That a respectful address be presented to His Excellency, earnestly recommending that the Customs Duties on the Steam Fire Engine belonging to the Deluge Company be remitted.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Barnard, relating to the Sale of Town Lots at Yale,

Ordered to be postponed till Monday next.

Pursuant to the Order of the day, the Hon. Mr. Ring asked leave to bring in Crown Costs Bill.

Ordered that leave be granted and the Bill read first time this day week.

On the Order of the day being read for a motion on the subject of a Free Port, standing in the name of the Hon. Mr. Ring,

Ordered to be postponed till Monday next.

On the Order of the day being read for the Committal of the Registration of Titles Bill,

Ordered that the Crown Grants Bill be taken next in order.

Standing Orders suspended to enable the Hon. Mr. Ring to give notice of motion.

Notice given accordingly.

According to Order, the Council went into Committee on the Crown Grants Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill now complete with amendments.

Ordered that the Report be adopted, and the Bill read third time on Monday next.

On the Order of the day being read for the Committal of the Registration of Titles Bill, and on the motion put "That I do now leave the Chair,"

The Hon. Mr. Drake moved, the Hon. Mr. Helmcken seconding,

That all words after "That," be left out, and the following words substituted, "The Registration of Titles Bill be referred to a Select Committee."

On the amendment being put the Council divided.

*Ayes 5, Noes 14.*

So the amendment was lost, and the Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that some amendments were made, and asked leave to sit again.

Ordered that leave be granted for Monday, and the Report be adopted.

Then, on the motion of the Hon. Mr. Crease, the Council adjourned till 1 o'clock on Monday next.

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### Monday, the 4th day of April, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Crease, being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Ball, Bushby, O'Reilly, Sanders, Dewdney, Ring, DeCosmos, Helmcken, Robson, Carrall, Barnard, Humphreys.

The Minutes of the previous Meeting were read and confirmed.



A Message from His Excellency the Governor, read as follows:—

*Message No. 12.*

A. MUSGRAVE.

The Governor has received the Resolution of the Council embodying the proposed Terms of Union with the Dominion of Canada, with certain modifications and additions suggested as expedient by the Honourable Board. These shall be presented for the consideration of the Government of Canada, and the Governor proposes to the Council that he should be authorized to make provision for the necessary expenses of a Delegation, to be composed of Three Members of the Council, whom the Governor desires to send to Ottawa for the purpose of submitting the proposed Terms, with the necessary explanations, to the Government of Canada.

*Government House,  
4th April, 1870.*

The Hon. the Chief Commissioner moved, That the Message be considered in Committee of the Whole Council on Wednesday, and that the Message be printed.

Ordered accordingly.

The Hon. Mr. Helmcken presented the Petition of certain Inhabitants of Victoria, in connection with ownership of Vessels.

Ordered to be printed and lie on the table.

The Hon. Mr. Humphreys gave notice of motion.

The Hon. Mr. Barnard gave notice of motion.

The Hon. Mr. Alston gave notice of motion.

The Hon. Mr. Robson gave notice of 3 motions.

On the Order of the day being read for the third reading of the Crown Grants Bill,  
Ordered to be postponed till later in the day.

On the Order of the day being read for the second reading of the School Bill,  
Ordered to be postponed till presently.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Humphreys,

The Hon. Member asked leave to withdraw the same.

Ordered that leave be granted.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding, and Resolved, *nem. con.*

That a respectful address be presented to His Excellency the Governor, praying that enquiry be made into the amount assessed under the "Road Ordinance, 1869," against Shareholders of Companies and Partners in Firms, owning land and doing business within the Colony, as there are reasons to conclude that a very large sum of money has not been assessed either in 1869 or 1870, against some of the said Shareholders and Partners.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Alston seconding, and it was Resolved, *nem. con.*,

That a respectful address be presented to His Excellency the Governor, informing him that, in the opinion of this Council, the establishment of a local Court of Appeal is imperatively called for.

Pursuant to the Order of the day, the Crown Grants Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Crown Grants Ordinance, 1870."

Pursuant to the Order of the day, the Council went into Committee to consider the Petition in reference to subsidizing Flour Mills,

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council,

That this Council, after having had under consideration the Petition respecting the granting of Subsidies to Flour Mills, is of opinion that it is expedient to encourage the manufacture of Flour from home-grown wheat, and would respectfully recommend to His Excellency the Governor:—

1. That Proclamation be made in the *Government Gazette* to the effect that if any owner of a Flour Mill in Victoria, New Westminster, Saanich, Cowichan, or Comox, shall prove to the satisfaction of the Governor that he has in any one year manufactured 500 barrels of good merchantable Flour, from wheat grown in the Colony, such Millowner shall be entitled to receive from the Government \$500.

2. That the proposed Subsidies shall, if the conditions be complied with, be continued for three years from the date of proclamation.

3. That this Council pledges itself to make good any sum of money that may be issued by His Excellency the Governor, in accordance with the foregoing recommendation.

On the question being put the Council divided.

*Ayes 8, Noes 7.*

The names, on request, were taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Robson,	The Hon. Messrs. Hamley,
DeCosmos,	Trutch,
Wood,	Bushby,
Alston,	Pemberton,
Ring,	Ball,
Humphreys,	Barnard,
Sanders,	Dewdney.
Drake.	

So it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Barnard asked the Postmaster General,—Whether steps have been taken to secure to the Settlers in the Okanagan Valley, and vicinity, the Mail Communication recommended by this Council?

The Hon. Mr. Bushby replied.

Pursuant to the Order of the day, the Hon. Mr. Barnard asked the Chief Commissioner of Lands and Works,—Whether it is the intention of the Government to reduce the price at which Town Lots in Yale are held by the Govern-

ment? Also, as to whether there is anything to prevent the Government from surveying and laying out Lots on the River front of Front Street in that town, and offering the same for sale?

The Hon. Mr. Trutch replied.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Ring,

Ordered to be postponed till Thursday next.

Pursuant to the Order of the day, the Council went into Committee on the Registration Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported that the Bill had been further considered, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock to-morrow.

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### **Tuesday, the 5th day of April, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Crease, being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Ball, Bushby, O'Reilly, Sanders, Ring, DeCosmos, Helmcken, Robson, Carrall, Pemberton, Alston, Humphreys, Wood, Drake.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. DeCosmos presented the Petition of the Inhabitants of Cowichan.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Drake gave notice of 3 motions.

The Hon. Mr. Barnard gave notice of motion.

The Hon. Mr. Dewdney gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Registration Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported considerable progress, and asked leave to sit again.

Ordered that the Report be adopted, and that leave be granted to the Committee to sit again to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Alston asked leave to bring in Bill of Sales Bill.

Ordered that leave be granted, and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, the Hon. Mr. Robson asked the Postmaster General,—Whether the provisions of the Postal Convention between this Colony and the United States, referred to in His Excellency's opening Message, have come into operation; and if not, why?

The Hon. Mr. Bushby replied.

On the Order of the day being read for the consideration of the Derby Settlers' Petition,

The Hon. Mr. Robson moved that the said Petition be considered in Committee of the Whole Council.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported that he had been instructed to ask leave to sit again.

Ordered that leave be granted to sit again on Thursday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 p.m. to-morrow.

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### Wednesday, the 6th day of April, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Attorney General being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Bushby, Sanders, O'Reilly, Ball, Wood, Dewdney, Helmcken, Ring, DeCosmos, Alston, Humphreys, Robson, Drake, Barnard, Pemberton.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Helmcken gave notice of 2 motions.

The Hon. Mr. De Cosmos gave notice of motion.

The Hon. Mr. Trutch gave notice of motion.

The Hon. Mr. Dewdney, Chairman of the Select Committee on the Customs Duty Bill, and as to providing means for maintaining the Interior Telegraphic system, brought up a Report.

Ordered to be read. Read aloud by the Clerk as follows:—

Your Committee is of opinion that it is of great importance to maintain the Telegraphic system through the Interior of the Colony, but the mode proposed of raising the funds necessary for that purpose, viz.: \$8,000, is, in the opinion of the majority of your Committee, inadvisable in the present state of business in the Colony.

Your Committee, therefore, beg respectfully to suggest as a better and more equitable means of raising the funds required, that the same be raised by a loan at the lowest market rates of interest, secured by Government Debentures,



and they consider that the undertaking being one of national importance, the Government would be justified in adopting this Course.

Ordered to be printed and lie on the table.

Pursuant to the Order of the day, the Council went into Committee on His Excellency's Message No. 12, respecting the sending of Delegates to Canada.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council.

Resolved, That His Excellency the Governor be authorized to make proper provision for the expenses of a Delegation, to be composed of such Three Members of this Council as His Excellency may select to dispatch to Ottawa, for the purpose of submitting to the Government of Canada the Terms of Union with the Dominion proposed by the Governor, and adopted by this Council.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Crown Costs Bill was read first time.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Humphreys,

Ordered to be deferred till to-morrow.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Robson.

Ordered to be deferred till later in the day.

Pursuant to the Order of the day, the Game Bill was read first time.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Water Supply Bill was read first time.

Ordered to be read second time on Wednesday the 13th instant.

Pursuant to the Order of the day, the County Court Bill was read first time.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, the Hon. Mr. Drake asked leave to bring in Fire Companies Aid Bill.

Ordered that leave be granted and the Bill read first time.

Read first time accordingly.

Ordered to be read second time on the 12th instant.

Pursuant to the Order of the day, the Hon. Mr. Barnard asked the Hon. the Chief Commissioner of Lands and Works,—Whether any action had been taken by the Executive, in regard to the recommendation of this Council relating to Road Tolls?

The Hon. the Chief Commissioner replied.

Pursuant to the Order of the day, the Hon. Mr. Robson moved, the Hon. Mr. Barnard seconding, and it was Resolved, *nemine contradicente*.

That the Island of San Juan now in dispute between the Governments of Great Britain and the United States, occupies a most important strategic position, practically commanding the passage between the open sea and the continental part of British Columbia.

That His Excellency the Governor be respectfully recommended to urge upon Her Majesty's Government and the Canadian Government the importance of possessing the said Island of San Juan, and pointing out its intimate bearing upon the ultimate success of the Confederated British North American Provinces.

On the Order of the day being read for the Committal of the Registration of Titles Bill,

Ordered that the same do stand as the first Order of the day for to-morrow.

On the Order of the day being read for the second reading of the Common Schools Amendment Bill,

Ordered to be postponed till to-morrow.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 1 o'clock to-morrow

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### Thursday, the 7th day of April, 1870.

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The Council met at 1 o'clock pursuant to adjournment.

The Hon. the Attorney General being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Trutch, Crease, Hamley, Bushby, Sanders, Dewdney, Ball, O'Reilly, Pemberton, Wood, Alston, Holbrook, DeCosmos, Humphreys, Carrall, Helmcken, Robson, Barnard, Drake, Ring.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 13.*

A. MUSGRAVE.

The Governor has had under consideration a Resolution of the Honourable Board of Council, respecting the granting of Subsidies to Flour Mills.

The Governor is compelled to express his dissent from the policy involved in the recommendation of the Council. Such subsidies, limited to Mills in special localities, would be partial and unjust in their operation. That, besides this, they would constitute a bounty for the protection of a special branch of industry at the expense of the rest of the Community, and would be an infraction of well-understood principles of political economy, as well as contrary to the policy of Her Majesty's Government and the tenor of the Royal Instructions to the Governor.

*Government House,  
6th April, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 14.*

A. MUSGRAVE.

The Governor has had under consideration the Resolutions of the Honourable Board of Council, referring to the Report of a Select Committee appointed to enquire into the Road Tolls on home-grown produce.

The subject has engaged the Governor's careful attention, and there appears to him to be some important difficulties in dealing with the matter at present.

The alterations suggested by the Council would probably considerably diminish the Revenue which has been estimated from this source for the service of the year, upon the faith of which financial arrangements have been made by the Appropriation Act. Moreover, in the Supplementary Resolution passed by the Council on the subject of Confederation, the question of the transfer of a portion of the Main-Trunk Road to the Government of the Dominion, and an exemption from Road Tolls, has been brought forward as part of the arrangements for Union with Canada.

Under these circumstances the Governor thinks it undesirable, at the present time, to make any change, but the subject will be considered during the year, and if necessary, or then expedient, the law may be amended in the next Session.

*Government House,  
6th April, 1870.*

The Hon. Mr. Drake presented the Petition of certain Boatmen, of Victoria.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

The Hon. Mr. Dewdney gave notice of motion.

The Hon. Mr. Holbrook gave notice of 2 motions.

On the motion of the Hon. Mr. Ring, the Standing Orders were suspended.

The Hon. Member then moved that a motion of his, standing further on in the Order of the day, be deferred till Monday.

Motion postponed accordingly.

The Hon. Mr. DeCosmos moved, the Hon. Mr. Humphreys seconding,

That the Message of His Excellency the Governor respecting the Resolution on Road Tolls, communicated to the Council to-day, be considered to-morrow.

On the question being put it passed in the affirmative and was Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on the Registration of Titles Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported further progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow, and the Report be adopted.

Pursuant to the Order of the day, the School Amendment Bill was read second time.

Ordered to be committed for Monday next.

Pursuant to the Order of the day, the Hon. the Chief Commissioner of Lands and Works introduced the Crown Lands Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos moved, the Hon. Mr. Wood seconding, and it was Resolved,

That this Council after having had under consideration the Petition of certain Settlers of Cowichan, praying for a grant of \$480 for the support of a School in Kokesaila Settlement, recommend that the Petition be forwarded to His Excellency the Governor, with a recommendation that the said sum be granted for the said purpose.

Then, on the motion of the Hon. Mr. DeCosmos, the Council adjourned till 1 p.m. to-morrow.

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### Friday, the 8th day of April, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Attorney General, being the Senior Member present in order of precedence, took the Chair as Presiding Member.

Present,—The Hon. Messrs. Crease, Trutch, Hamley, Ball, Sanders, Walkem, Bushby, Alston, Wood, Holbrook, DeCosmos, Drake, Humphreys, Carrall, O'Reilly, Dewdney, Robson, Pemberton, Barnard.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. DeCosmos moved that the Standing Orders be suspended in order that the consideration of the Governor's Message No. 14 be taken up at once.

Standing Orders suspended accordingly.

The Council took Message No. 14 into consideration.

During which, a Message from His Excellency the Governor, read as follows:—

*Message No. 15.*

A. MUSGRAVE.

In compliance with a Resolution of the Legislative Council, the Governor forwards a Return showing the total cost of the establishment and maintenance of the Assay Office and Coining Apparatus at New Westminster and Cariboo, from its commencement to the 31st December, 1869.<sup>8</sup>

*Government House,  
8th April, 1870.*

The Hon. Mr. Humphreys moved, the Hon. Mr. DeCosmos seconding,

That, after having had His Excellency's Message No. 14, respecting Road Tolls under consideration, this Council is of opinion that it is desirable to have a conference with His Excellency the Governor, respecting the necessity for the abolition of certain Road Tolls at Clinton.

The Hon. Mr. Dewdney moved, in amendment, the Hon. Mr. Ball seconding,

That this Council, having taken into consideration His Excellency's Message No. 14, referring to the Report of a Select Committee appointed to enquire

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<sup>8</sup> *Ibid.*, p. ix.



into the Road Tolls on home-grown produce, is of opinion that, for the reasons mentioned in that Message, it is inadvisable at the present time to make any change.

On the amendment being put the Council divided.

*Ayes* 2, *Noes* 10.

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Dewdney, Ball.	The Hon. Messrs. Walken, Sanders, O'Reilly, Holbrook, Barnard, Robson, Drake, DeCosmos, Pemberton, Hamley.

So the amendment was lost.

On the original question being put the Council again divided.

*Ayes* 11, *Noes* 2.

The names, on request, being taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Walkem, O'Reilly, Sanders, Ball, Robson, Holbrook, Drake, Humphreys, DeCosmos, Pemberton, Hamley.	The Hon. Messrs. Barnard, Dewdney.

So the question was carried in the affirmative, and Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on the Registration of Titles Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported further progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted and the Report adopted.

On the motion of the Hon. Mr. Robson, the Standing Orders were suspended.

The Hon. Member gave notice of motion.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 1 o'clock on Monday next.

## Monday, the 11th day of April, 1870.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs, Hankin, Crease, Hamley, Ball, Bushby, Walkem, Trutch, Sanders, O'Reilly, Wood, Robson, Pemberton, Humphreys, Carrall, Ring, DeCosmos, Holbrook, Helmcken, Dewdney.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 16.*

A. MUSGRAVE.

The Governor has received the communication from the Honourable Board of Council, acquainting him with their Resolution to seek a conference with him on the question of Road Tolls, in conformity with the Standing Orders for the guidance of the Council.

The Governor will have much pleasure in receiving the Committee from the Council, at Government House, at 3 o'clock, on Thursday, the 14th instant.

*Government House,  
11th April, 1870.*

The Hon. the Attorney General gave notice of 2 motions.

Pursuant to the Order of the day, the Hon. Mr. Robson asked the Presiding Member,—When it is the intention of His Excellency to prorogue the Council?

The Hon. Mr. Hankin replied.

Pursuant to the Order of the day, the Hon. Mr. Ring moved, the Hon. Mr. Alston seconding,

That a respectful address be presented to His Excellency the Governor, requesting him to ask the Imperial Government to repeal that portion of the Imperial Act of Union which extends the Tariff of British Columbia to Vancouver Island, with the view of re-establishing a Free Port at Victoria.

On the question being put the Council divided.

*Ayes 6, Noes 9.*

The names having been taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Robson,	The Hon. Messrs. Sanders,
Helmcken,	O'Reilly,
Ring,	Ball,
Dewdney,	Holbrook,
Drake,	Wood,
Alston.	DeCosmos,
	Crease,
	Bushby,
	Hamley.

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Council went into Committee on the Registration of Titles Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time on Tuesday week.

Pursuant to the Order of the day, the Council took into consideration the Report of the Select Committee on the Customs Amendment Bill.

The Hon. Mr. Drake moved that the Report be adopted, the Hon. Mr. Ring seconding.

On the question being put the Council divided.

*Ayes 7, Noes 11.*

So the motion was lost.

The Hon. Mr. Dewdney moved, the Hon. Mr. Holbrook seconding,

That the Customs Duty Bill be now read first time.

The Hon. Mr. Helmcken moved, the Hon. Mr. Drake seconding,

That this Bill be read first time this day fortnight.

The amendment having been put and lost, after a division, *Ayes 7, Noes 9,*

The Bill was read first time. Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Bill of Sales Bill was read second time.

Ordered to be committed on Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. DeCosmos asked the Hon. the Chief Commissioner of Lands and Works,—Whether the Steamer “Sir James Douglas” will be ordered to ply between Victoria and Sooke?

Whether it is the intention of the Government to make any provision for the construction of a Bridge over Sooke River, by paying the Contractor in Land in that District, as suggested in a Petition from the Settlers in Sooke?

The Hon. Mr. Trutch replied.

Pursuant to the Order of the day, the County Courts Bill was read second time.

Ordered to be committed on Tuesday week.

Pursuant to the Order of the day, the Council took into consideration the Petition of certain Master Mariners.

The Hon. Mr. Helmcken moved, the Hon. Mr. Holbrook seconding, and it was Resolved,

That the Petition be referred to His Excellency the Governor, with the opinion of this Council that it is advisable to prohibit Colonial Vessels going foreign being commanded by uncertified persons, and that it is advisable to establish a Board for the purpose of granting certificates to those who undergo the necessary examination for Masters and Mates of Vessels.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved That the Petition of P. Cadell be taken into consideration, with a view to its transmission to His Excellency the Governor.

The Hon. Mr. Ball moved, in amendment, That it do lie on the table.

Amendment put and carried.

Ordered accordingly.

Pursuant to the Order of the day, the Hon. Mr. Holbrook asked the Presiding Member,—If any provision has been made by the Executive for the payment of the Expenses of Elected Members coming from Kootenay, Cariboo, and Lillooet?

The Hon. the Presiding Member replied.

Pursuant to the Order of the day, the Hon. Mr. Holbrook moved, the Hon. Mr. Robson seconding,

That a respectful address be presented to His Excellency, asking him to devote the sum of about \$500, out of the vote in the Estimates for repairs of Roads, toward repairing the Road between Douglas and the 29 Mile House, so as to make it passable for Farmers' waggons.

On the question being put the Council divided.

*Ayes 2, Noes 7.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, the Council went into Committee on the Derby Settlers' Petition.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported that the Committee had risen without a report.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Humphreys,

Ordered to be postponed.

Pursuant to the Order of the day, the Game Bill was read second time.

Ordered to be committed at once.

The Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time on Wednesday next.

Then, on the motion of the Hon. Mr. Ball, the Council adjourned till 1 o'clock to-morrow.

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## **Tuesday, the 12th day of April, 1870.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Bushby, Sanders, O'Reilly, Ball, Walkem, Ring, Alston, DeCosmos, Helmcken, Robson, Barnard, Wood, Pemberton, Holbrook, Dewdney, Carrall, Drake, Trutch.

The Minutes of the previous Meeting were read and confirmed.

The Hon. Mr. Robson gave notice of motion.

The Hon. Mr. DeCosmos gave notice of motion.

The Hon. Mr. Alston gave notice of motion.



Pursuant to the Order of the day, the Council went into Committee on the School Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time on Thursday next.

On the Order of the day being read for the second reading of the Fire Companies' Aid Bill,

Ordered to be postponed till to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General asked leave to bring in Municipal Fine Bill.

Ordered that leave be granted, and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Hon. the Attorney General introduced the Loan Bill.

Ordered to be read first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

On the Order of the day being read for the second reading of the Customs Duty Bill,

The Hon. Mr. Drake moved, the Hon. Mr. Hamley seconding,

That the second reading be postponed till to-morrow.

Whereupon a debate arose, which having terminated, and on the question being put the Council divided.

*Ayes 7, Noes 12.*

So it passed in the negative and the Resolution was lost.

The Bill was then read second time.

On the question being put whether the Bill should be Committed, the Council divided.

*Ayes 11, Noes 7.*

The names, on request, were taken down as follows:—

*Ayes.*

The Hon. Messrs. Crease,  
Trutch,  
Bushby,  
Ball,  
Barnard,  
Dewdney,  
Carrall,  
Sanders,  
Walkem,  
O'Reilly,  
Holbrook.

*Noes.*

The Hon. Messrs. Hamley,  
Drake,  
Pemberton,  
Wood,  
Alston,  
Helmcken,  
Robson.

So it passed in the affirmative and the Council went into Committee on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported the Bill complete with slight amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 p.m. to-morrow.

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### Wednesday, the 13th day of April, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Sanders, Ball, Wood, Dewdney, Helmcken, Ring, DeCosmos, Alston, Humphreys, Robson, Drake, Barnard, Holbrook, Walkem, Carrall.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Hamley, Chairman of the Select Committee appointed to enquire into the subject of Ocean Steam Communication with San Francisco, brought up a Report.

Ordered to be read. Read as follows:—

Your Committee beg to report that in view of the probability of a line of British Steamers being established on the North Pacific Coast, arrangements should be made to open negotiations with any such Company for placing a Steamer on this line.

Your Committee are further of opinion that were arrangements made with the Puget Sound Steamers to come to Victoria more frequently, and remain there a longer time, much good would result to the Colony, and Mail Communication would be very much facilitated and improved.

The Hon. Mr. Drake gave notice of 2 motions.

On the Order of the day being read for the third reading of the Customs Duty Bill, The Hon. Mr. Helmcken moved, the Hon. Mr. Hamley seconding, That this Bill be read third time this day six months.

On the amendment being put, the Council divided.

*Ayes 8, Noes 10.*

So it passed in the negative, and the Bill was read third time,

And it was Resolved that this Bill do pass and its title be the "Customs Duty Ordinance, 1870."

Pursuant to the Order of the day, the Game Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Game Ordinance, 1870."

Pursuant to the Order of the day, the School Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Common School Amendment Ordinance, 1870."

Pursuant to the Order of the day, the Land Bill was read second time.

Ordered to be committed the first sitting next week.

The Hon. Mr. Walkem rose to speak to a question of privilege, in reference to certain words spoken by the Hon. Mr. Humphreys, at a Public Meeting, at the Theatre, Victoria, on the 11th instant.

The Hon. Member not being then present,

On the motion of the Hon. Mr. Alston,

Resolved, That the Hon. Member be cited to appear at the Council Board by the Presiding Member.

The following citation was sent to the Hon. Member:—

*To the Hon. Mr. Humphreys.*

You are hereby cited to attend at the Council Board, at once, on the receipt of this summons, and in the event of your non-appearance you will be held guilty of contempt.

(Signed) PHILIP J. HANKIN.

13th April, 1870.

On the Order of the day being read for the second reading of the Water Bill, and the question being put the Council divided.

*Ayes 3, Noes 9.*

So the Bill was thrown out.

In compliance with a citation above quoted, the Hon. Mr. Humphreys being now present in the Council Chamber, the Hon. Mr. Walkem again rose to speak to a question of privilege, in reference to certain words spoken by the Hon. Mr. Humphreys, at the Public Theatre, on the 11th instant.

On the motion of the Hon. Mr. Helmcken,

Ordered, That Strangers do withdraw, including the Press.

After which, the Hon. Mr. Dewdney moved, the Hon. Mr. Barnard seconding, the following Resolution:—

Resolved, That this Council, having ascertained from undoubted authority, that one of its Members, the Honourable Member for Lillooet, did, at a Public Meeting, held on Monday, the 11th day of April instant, publicly use language to the following purport; that is to say: "that he felt degraded by sitting in this Council," and further, "that this Council had refused any enquiry into the matters connected with the Lands and Works Office, and the spending of the moneys entrusted thereto," and feeling that such language is a gross insult and derogatory to the dignity of this Council, and calculated to bring the Council and its proceedings into contempt, Resolved that His Excellency the Governor be respectfully requested to cancel the appointment of the said Thomas B. Humphreys to a seat in this Council.

The Hon. Mr. Trutch moved that the Council is willing to accept the following statement in writing from the Hon. Member:—

It was not my intention, by any words used by me at the Public Meeting, on Monday evening last, the 11th instant, to express anything derogatory to the dignity of the Legislative Council, or of any one of its Members, nor to cast any imputation of dishonesty or improper conduct whatsoever on the Chief Commissioner of Lands and Works, or on any one connected with that Department; and if any words then spoken by me conveyed such an impression, I hereby retract them, and express my regret at having used them.

The Hon. Member for Lillooet handed in the following as being the statement he was prepared to offer:—

If I used any language at a recent Public Meeting reflecting on the honesty of the Chief Commissioner of Lands and Works, I sincerely regret having used it, as such was not my intention to do so by any words that I then used; and if I used, on the same occasion, and at the same place, any language that has been interpreted as disrespectful to the Council as such, instead of being in denunciation of a non-representative Council, I regret it, as my language was directed against the non-representative Constitution of the Council.

(Signed) T. B. HUMPHREYS.

On the question being put whether such last mentioned document was satisfactory to the Council, the Council divided.

*Ayes* 1, *Noes* 15.

The names having been taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Mr. DeCosmos.	The Hon. Messrs. Crease,
	Trutch,
	O'Reilly,
	Sanders,
	Walkem,
	Ball,
	Dewdney,
	Barnard,
	Robson,
	Carrall,
	Wood,
	Alston,
	Drake,
	Bushby,
	Hamley.

The Hon. Mr. Helmcken not having voted was counted in the affirmative, so the vote stood *Ayes* 2, *Noes* 15, and it was declared that the statement offered was not satisfactory.

The Hon. Member for Lillooet having declined to assent to the statement suggested by the Chief Commissioner of Lands and Works,

The Resolution of the Hon. Mr. Dewdney was put to the Council, whereupon the Council divided.

*Ayes* 11, *Noes* 1.



The names, on request, being taken down by the Clerk as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Crease,  
Trutch,  
O'Reilly,  
Sanders,  
Walkem,  
Ball,  
Dewdney,  
Barnard,  
Robson,  
Carrall,  
Hamley.

The Hon. Mr. DeCosmos.

The Hon. Messrs. Holbrook, Wood, Alston, Drake, Bushby, and Helmcken not having voted, their votes were counted in the affirmative, so the vote stood *Ayes 17, Noes 1.*

So it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p.m. to-morrow.

### Thursday, the 14th day of April, 1870.

The Council met at 1 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Bushby, Sanders, Ball, O'Reilly, Pemberton, Wood, Alston, Dewdney, DeCosmos, Humphreys, Carrall, Helmcken, Robson, Barnard, Drake, Walkem, Ring.

On the motion of the Hon. Mr. Crease, Ordered that Strangers do withdraw, including the Press.

On the Minutes being read and amended,

The Hon. Mr. DeCosmos moved, the Hon. Mr. Ring seconding,

That the Resolution of the Hon. Mr. Dewdney, respecting Mr. T. B. Humphreys, be not recorded on the Minutes.

The Hon. Mr. Helmcken moved, in amendment,

That if the Hon. Member for Lillooet will even now sign the statement proposed yesterday by the Hon. the Chief Commissioner of Lands and Works, and recorded on the Books, this Council will consent to the Resolution passed yesterday being expunged from its Journal.

On the question being put the Council divided.

*Ayes 12, Noes 1.*

The names having been taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch,	The Hon. Mr. DeCosmos.
Walkem,	
Ball,	
Dewdney,	
Crease,	
Drake,	
Wood,	
Robson,	
Helmcken,	
Alston,	
Pemberton,	
Bushby.	

So the the amendment was carried.

On the Hon. Member for Lillooet being asked by the Presiding Member if he would consent to sign the Statement in question,

The Hon. Member refused, stating that in his opinion the explanation offered by him yesterday was sufficient.

On the question of the confirmation of the Minutes being put, the Council divided.

*Ayes 13, Noes 3.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Walkem,	The Hon. Messrs. DeCosmos,
Crease,	Ring,
Trutch,	Humphreys.
Pemberton,	
Bushby,	
Dewdney,	
Ball,	
Robson,	
Drake,	
Alston,	
Wood,	
Sanders,	
O'Reilly.	

So it was carried in the affirmative, and the Minutes were confirmed.

The Hon. Mr. Trutch moved the following Resolution, having risen to speak to a question of privilege:—

That the Council go into Committee to prepare an abstract statement of the evidence adduced before this Council by certain of its Members, in Session with closed doors, on the 13th instant, upon which the Resolution of that date referring to the Hon. Member for Lillooet was based, and that the same be transmitted to His Excellency the Governor with such Resolution.

Whereupon a debate arose, during which the Council adjourned during pleasure, in order to hold a conference with His Excellency the Governor, on Road Tolls.

On the Council resuming its sitting,

And on the question being put that the motion of the Hon. Mr. Trutch be postponed till later in the day, the Council divided.

*Ayes 12, Noes 2.*

So it was carried in the affirmative and Resolved accordingly.

A Message from His Excellency the Governor, read as follows:—

*Message No. 17.*

A. MUSGRAVE.

In compliance with a Resolution of the Legislative Council, of the 21st February, the Governor herewith forwards the Return therein called for, furnishing information in respect to the Schools established in 1869, under the Common Schools Ordinance of that year.<sup>9</sup>

*Government House,  
13th April, 1870.*

Pursuant to the Order of the day, the Loan Bill was read second time.

Ordered to be committed on Tuesday next.

According to Order, the debate on the motion of the Hon. Mr. Trutch, on a question of privilege, was resumed.

The Hon. Mr. DeCosmos moved the following amendment, the Hon. Mr. Humphreys seconding:—

That before proceeding to take evidence in the matter of the breach of privilege of the Hon. T. B. Humphreys, the Council instruct the Clerk to take down the names of all Members who are expected to give evidence, and that such Members retire and be called in singly and examined as to what they know respecting the words used by the Hon. T. B. Humphreys, on the 11th April, 1870.

On the amendment being put the Council divided.

*Ayes 3, Noes 14.*

The names, on request, having been taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Helmcken,  
Humphreys,  
DeCosmos.

The Hon. Messrs. Crease,  
Trutch,  
Walkem,  
Sanders,  
Ball,  
Dewdney,  
Barnard,  
Carrall,  
Robson,  
Ring,  
Alston,  
Wood,  
Bushby,  
O'Reilly.

<sup>9</sup> *Ibid.*, p. ix.

The Hon. Mr. Drake not having voted, was counted with the Ayes, so the vote stood *Ayes 4, Noes 14*, and the amendment was lost.

On the question put "That I do now leave the Chair," the Council divided.  
*Ayes 15, Noes 2.*

So it was carried in the affirmative, and the Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That the annexed statement in writing respectively signed by the Hon. Members whose names appear thereto conveys in substance the evidence given before this Council, on the 13th instant, by said Members, and that the same be transmitted to His Excellency the Governor accompanied by the Resolution this day passed.

*Legislative Council Chamber,  
April 14th, 1870.*

*In Committee.*

The following is the purport and substance of the evidence adduced in this Council on the 13th day of April, 1870, upon the discussion of the Resolution requesting His Excellency the Governor to cancel the appointment of Thomas B. Humphreys to a seat in this Council, such evidence, or the purport or substance thereof, having been given *viva voce* to the Council, in the presence of the said Thomas B. Humphreys, by the Hon. Messrs. Drake, Dewdney, Alston, Robson, Helmcken, Ball and Barnard:—

That on the 11th day of April, 1870, the Hon. Member for Lillooet, did at a Public Meeting held in the Theatre, in Victoria, publicly make the following statement:—

1. "That as to the Lands and Works Office, Duke Trutch, or Lord Trutch, had for the last 4 or 5 years had control of the Office without the slightest check upon him, and that about \$500,000 had passed through his hands, of which no account could be obtained, and that when an enquiry into the conduct of the said Office, and the disposal of the said moneys, was asked for in the Legislative Council, it was burked or choked off by the Officials, with what object he would leave it to the public to say."

2. That the Hon. Member for Lillooet further said "that he felt degraded as a man by taking his seat in that infamous, rascally, rotten arrangement across the Bay," meaning the Legislative Council; or words to the above effect were used.

On honour the above is in substance the evidence I gave yesterday, and I believe the same to be correct.

(Signed) E. GRAHAM ALSTON,  
JNO. ROBSON,  
EDGAR DEWDNEY,  
F. J. BARNARD.

Substantially correct,  
M. W. TYRWHITT DRAKE.

Upon the subject of the Legislative Council, the Hon. Member for Lillooet spoke to the following effect:—

"They call it an honour to be a Member of that House; for my part I cannot see any honour in it. Whenever I go over I feel degraded and ashamed" at what he termed "the arrangement."

With regard to the Land Office, the language used conveyed to my mind a feeling that all was not right in the Land Office. For instance, that Mr. Trutch, or Duke Trutch, had charge of the Land Office, that a motion for enquiry had been



burked; that four or five hundred thousand dollars passed through that Office; that preventing enquiry into the Office would only lead to the support of the public opinion that all was not right there.

Of course I do not pretend these to be the identical words used.

(Signed) J. S. HELMCKEN.

These remarks with reference to the Council and Land Office are substantially correct, as made by Mr. Humphreys at the Public Meeting.

(Signed) H. M. BALL.

On the question of the adoption of the Resolution and Statements being put, the Council divided.

*Ayes* 14, *Noes* 2.

The names, on request, having been taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Trutch,  
Walkem,  
Sanders,  
Ball,  
Crease,  
Bushby,  
Wood,  
O'Reilly,  
Dewdney,  
Barnard,  
Robson,  
Carrall,  
Alston,  
Drake.

The Hon. Messrs. De Cosmos,  
Humphreys.

So it was carried in the affirmative and Resolved accordingly.

Ordered that all the votes and proceedings connected with the case be forwarded to the Governor.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Tuesday next.

## Tuesday, the 19th day of April, 1870

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Ball, Bushby, Walkem, Trutch, Sanders, O'Reilly, Wood, Robson, Alston, Drake, Carrall, Ring, DeCosmos, Helmcken, Dewdney.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 18.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to facilitate the issue of Crown Grants."

*Government House,  
18th April, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 19.*

A. MUSGRAVE.

With reference to a Resolution of the Honourable Board of Council, of the 13th instant, respecting a Breach of Privilege alleged to have been committed at the Public Theatre, Victoria, on Monday the 11th instant, by Thomas Basil Humphreys, one of the Members of the Council, and which Resolution was forwarded for the Governor's consideration,

The Governor acquaints the Legislative Council that he has by an Instrument, a copy of which is herewith forwarded, suspended the said Thomas Basil Humphreys from the exercise of the office of a Legislative Councillor, until Her Majesty's pleasure be known in the premises.

*Government House,  
19th April, 1870.*

L.S.

A. MUSGRAVE.

*To Thomas Basil Humphreys, and to all to whom these presents shall come, or whom they may concern:*

KNOW YE that I, ANTHONY MUSGRAVE, Governor in and over the Colony of British Columbia, do, by virtue of all the powers in me vested and me in that behalf enabling, hereby suspend you, the said Thomas Basil Humphreys, as and from the date of the receipt hereof by you, from the exercise of the duties and office of a Legislative Councillor for the Colony of British Columbia, which office was conferred upon you by a Commission under the hand of Frederick Seymour, Esquire, late Governor of the said Colony; and such suspension shall be of full force and effect until Her Majesty's pleasure shall be known in the premises.

GIVEN under my hand and seal, this Nineteenth day of April, at Victoria, Vancouver Island, A. D. One thousand eight hundred and seventy, and in the 33rd year of Her Majesty's Reign.

Pursuant to the Order of the day, the Council went into Committee on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders, Chairman of the Committee, reported progress made with the Bill, and asked leave to sit again.

Ordered that the Report be adopted, and that leave be granted to the Committee to sit again to-morrow.

A Message from His Excellency the Governor, read as follows:—

*Message No. 20.*

A. MUSGRAVE.

The Governor has had under consideration the Resolution of the Legislative Council, that the Petition of Peter Eddy be referred to His Excellency the Governor, with a recommendation that he will take the same into his consideration, and grant such relief as the nature of the case demands.

The Governor has made enquiry into the circumstances of the case referred to, and has ascertained that the complaint arises from matters at issue in a civil case tried before the Supreme Court of the Mainland of British Columbia, in which the Governor has no authority for interference.

*Government House,  
19th April, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 21.*

A. MUSGRAVE.

The Governor transmits to the Legislative Council, for their early consideration, the following Ordinances, upon subjects of importance to the public interest, viz:—

1. An additional Duty Ordinance, 1870, to raise money for the Public service;
2. Supreme Courts Merger Ordinance, 1870;
3. Supreme Courts Fees Ordinance, 1870;
4. Road Amendment Ordinance, 1870;
5. Cemetery Ordinance, 1870.

*Government House,  
19th April, 1870.*

The Road Amendment Bill was read first time.

Ordered to be read second time to-morrow.

The Supreme Court Merger Bill was read first and second times.

Ordered to be Committed to-morrow.

The Supreme Court Fees Bill was read first and second times.

Ordered to be committed to-morrow.

The Cemetery Bill was read first time.

Ordered to be read second time to-morrow.

The Customs Amendment Bill was read first time.

Ordered to be read second time at once.

Read second time accordingly.

Ordered to be committed at once.

The Council went into Committee accordingly on the said Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Ball, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time at once. Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title to be the "Customs Amendment Ordinance, 1870."

Pursuant to the Order of the day, the Council went into Committee on the Loan Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted and the Bill read third time to-morrow.

On the Order of the day being read for the third time reading of the Registration of Titles Bill,

Ordered to be recommitted.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported some additions made to the Bill, and that it was now complete.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the County Courts Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title to be the "County Courts Amendment Ordinance, 1870."

On the Order of the day being read for the second reading of the Crown Costs Bill, and on the question being put, the Council divided.

*Ayes 5. Noes 6.*

So it passed in the negative and the Bill was thrown out.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### Wednesday, the 20th day of April, 1870.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present.—The Hon. Messrs. Hankin, Crease, Walkem, Hamley, O'Reilly, Sanders, Bushby, Ball, Helmcken, Wood, Ring, Alston, Trutch, Robson, Drake, Carrall, Pemberton, Dewdney.

The Minutes of previous Meeting read and confirmed.

On the Order of the day being read therefor, the Council went into Committee on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Sanders Chairman of the Committee, reported progress made, and asked leave to sit again.

Ordered that the Report be adopted and leave granted to sit again to-morrow.

A Message from His Excellency the Governor, read as follows:—

*Message No. 22.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to create a further Duty of Customs for the Public Service."

*Government House,  
20th April, 1870.*



A further Message from His Excellency, read as follows:—

*Message No. 23.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to amend the Common School Ordinance, 1869."

*Government House,  
20th April, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 24.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance entitled the Game Ordinance, 1870."

*Government House,  
20th April, 1870.*

A further Message, read as follows:—

*Message No. 25.*

A. MUSGRAVE.

The Governor has had pressed upon his notice cases in which there has been a failure of justice for want of some provision to prevent evil disposed persons from inciting Merchant Seamen to desert from their Ships. The Governor, therefore, submits an Ordinance, for the consideration of the Council, containing provisions for this purpose.

*Government House,  
20th April, 1870.*

The Merchant Ship Protection Bill was accordingly read first time.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Road Amendment Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Supreme Courts Merger Bill,

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time at once. Bill read third time accordingly.

And it was Resolved that this Bill do pass and its title be the "Supreme Courts Merger Ordinance, 1870."

Pursuant to the Order of the day, the Council went into Committee on the Supreme Court Fees Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Alston, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time at once. Read third time accordingly.

And it was Resolved that this Bill do pass and its title be "The Supreme Court Fees Ordinance, 1870."

Pursuant to the Order of the day, the Cemetery Bill was read second time.

Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Loan Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The British Columbia Loan Ordinance, 1870."

Pursuant to the Order of the day, the Registration Bill was read third time, and it was Resolved that this Bill do pass and its title be "The Land Registry Ordinance, 1870."

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved That the Petition of certain Boatmen be take into consideration.

Ordered accordingly.

The Hon. Mr. Drake then moved, the Hon. Mr. Ring seconding, and it was Resolved,

That His Excellency be respectfully requested to take into consideration the position of persons letting out pleasure boats for hire, in order that a reduction of the present duty of \$10 a year for each boat be made, and this Council respectfully suggests that a licence be granted for their business, in lieu of a special tax on each boat.

On the Order of the day being read for a motion of the Hon. Mr. Drake to ask leave to bring in a Bill to incorporate the Law Society of British Columbia,

On the motion of the Hon. mover,

Ordered that leave be granted to withdraw the same.

Motion withdrawn accordingly.

On the Order of the day being read for a motion of the Hon. Mr. Drake to ask leave to bring in the Legal Professions Amendment Bill,

On the motion of the Hon. mover,

Ordered that leave be granted to withdraw the same.

Motion withdrawn accordingly.

Pursuant to the Order of the day, the Council went into Committee on the Bill of Sales Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported progress made with the Bill and asked leave to sit again.

Ordered that leave be granted for to-morrow, and the Report be adopted.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Alston, in reference to Ocean Mail Communication.

Ordered that leave be granted to withdraw the same.

Motion withdrawn accordingly.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. DeCosmos, in respect of the Repair of the Roads in Victoria District No. 2,

The motion dropped.

The Standing Orders having been suspended for the purpose,

The Municipal Fines Bill was read second time.

Ordered to be committed forthwith.

The Council went into Committee accordingly.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time at once. Bill read third time accordingly.

And it was Resolved that this Bill do pass and its title be "The Municipal Fines Ordinance, 1870."

Pursuant to the Order of the day, the Hon. Mr. Robson moved the following Resolution, the Hon. Mr. Alston seconding:—

That an humble Address be presented to His Excellency the Governor, recommending that the sum of \$5000 set down in the Estimates for Immigration, be appropriated towards establishing an Immigration and Intelligence Office in San Francisco.

On the question being put the Council divided.

*Ayes 4, Noes 5.*

So it passed in the negative and the Resolution was lost.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 p.m. to-morrow.

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### Thursday, the 21st day of April, 1870.

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The Council met at 1 o'clock pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Trutch, Crease, Hamley, Bushby, O'Reilly, Ball, Pemberton, Wood, Alston, Dewdney, Carrall, Helmcken, Robson, Ring, Drake, Walkem.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Ball, Chairman of the Select Committee appointed to enquire into the Petition of Alexander Watson, brought up a Report.

Ordered to be read. Read as follows:—

Your Committee beg to report that in the absence of the full correspondence between the late Governor, Mr. Seymour, and the Secretary of State, in relation to Mr. Watson, the Committee is unable to arrive at any satisfactory conclusion as to the nature of his claim (if any) against the Government of British Columbia, and your Committee beg to append the enclosed letter forwarded to them by command of the Governor, in reply to information asked for on the subject.

Ordered to be considered to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Land Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Ship Protection Bill was read second time.  
Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Council went into Committee on the Road Amendment Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete, with amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title be the "Road Amendment Ordinance, 1870."

Pursuant to the Order of the day, the Council went into Committee on the Bill of Sales Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title be "The Bill of Sales Ordinance, 1870."

Then, on the motion of the Hon. Mr. Robson, the Council adjourned till 1 p.m. to-morrow.

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### Friday, the 22nd day of April, 1870.

---

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Hamley, Bushby, O'Reilly, Ring, Alston, Helmcken, Trutch, Robson, Wood, Pemberton, Dewdney, Carrall.

The Minutes of the previous Meeting were read and confirmed.

Pursuant to the Order of the day, the Council went into Committee on the Merchant Ship Desertion Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title be "The Merchant Ship Desertion Bill, 1870."

Pursuant to the Order of the day, the Council went into Committee on the Cemetery Bill.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass, and its title be "The Cemetery Ordinance, 1870."



Pursuant to the Order of the day, the Council took into consideration the Report of the Select Committee appointed to enquire into the Petition of Alexander Watson.

The Hon. Mr. Dewdney moved, the Hon. Mr. Wood seconding,

That this Council being unable to decide that Mr. Watson has any claim against this Colony, for compensation on the loss of his office consequent on the Union of the Colonies, desire to refer his case to the most favourable consideration of His Excellency the Governor.

On the question being put it was carried in the affirmative and Resolved accordingly.

A Message from His Excellency the Governor, read as follows:—

*Message No. 26.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the Supreme Court."

*Government House,  
22nd April, 1870.*

A further Message from His Excellency the Governor, read as follows:—

*Message No. 27.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance respecting the enforcement of Municipal By-Laws."

*Government House,  
22nd April, 1870.*

Pursuant to the Order of the day, the Land Bill was read third time, and it was Resolved that this Bill do pass, and its title be the "Land Ordinance, 1870."

A further Message, read as follows:—

*Message No. 28.*

A. MUSGRAVE.

The Governor transmits herewith, for the consideration of the Honourable Board of Council, an amendment to the latter part of Section XIV. of "An Ordinance to assimilate the Law relating to the Transfer of Real Estate, and to provide for the Registration of Titles to Land throughout the Colony of British Columbia," which he is advised has a tendency opposed to the principle of the Bill.

That the following words be struck out from Clause XIV., after line 9, namely after the word "erasure:" "and when two or more deeds or documents appear entered on any such records affecting the same lands the deeds shall, as between themselves, have priority according to the date of transcript, and not according to the date of the creation of the estates or interests."

*Government House,  
22nd April, 1870.*

The Council went into Committee on the above amendment.

On the Presiding Member resuming the Chair, the Hon. Mr. Bushby, Chairman of the Committee, reported the following Resolution for the adoption of the Council:—

That His Excellency the Governor be respectfully acquainted that this Council concurs in the amendment proposed by His Excellency to "The Land Registry Ordinance, 1870."

Ordered that the Report be adopted.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 11 o'clock to-morrow.

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### Saturday, the 23rd day of April, 1870.

---

The Council met at 11 o'clock, pursuant to adjournment.

The Hon. the Colonial Secretary in the Chair as Presiding Member.

Present,—The Hon. Messrs. Hankin, Crease, Trutch, Hamley, Bushby, Alston, Wood, Carrall, Helmcken, Robson, Walkem, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor read as follows:—

*Message No. 29.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to authorize a Loan of £75,000."

*Government House,  
23rd April, 1870.*

A further Message from His Excellency, read as follows:—

*Message No. 30.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Ordinance to alter and amend the County Court Ordinance, 1867."

*Government House,  
23rd April, 1870.*

The Hon. the Colonial Secretary then read the following Message from His Excellency the Governor, proroguing the Council:—

*Message No. 31.*

A. MUSGRAVE.

*Mr. President and Honourable Gentlemen of the Legislative Council.*

After a late and somewhat prolonged Session you will probably be glad to be released from your Legislative labours, in order that you may resume those personal duties and occupations which are not less important to the progress and well-being of the Community.

I thank you for the diligence with which you have considered the several measures and subjects which have been submitted to you.

The proceedings which you have taken in respect of the great question of Confederation with the Dominion, will enable me to ascertain the views of the Government of Canada upon this important subject, and to present it in a definite shape for the decision of the Community. For this purpose, as I have already informed you, I propose to send a Delegation to Ottawa, who will be able fully to explain our views and wants, and learn how far the expectations of the people of this Colony can be fulfilled in any arrangement for Union.

To the Bills which you have forwarded to me, I shall give my assent. That to amend and consolidate the Laws affecting Crown Lands, the Crown Grants Ordinance, and the Land Registry Ordinance, I regard as very important measures, of which the value will speedily become apparent.

The addition which you have made to the Revenue for the purpose of maintaining the Telegraph on the Mainland, shall be applied to the accomplishment of the desired object.

To most of the communications which I have received from your Honourable Board I have already furnished separate replies; and upon those which have not been so answered I have reserved any expression of opinion, until the subjects can be more fully considered, with the view of giving effect to your recommendations.

Your Resolution respecting the Island of San Juan shall be laid before Her Majesty's Government.

I will make enquiry as to the working of the system under which Fees are now paid in the Admiralty Court; but I fear that it will be too much to expect that Her Majesty's Government will be ready to assume expenses which are now paid by Suitors in that Court.

Attentive consideration shall be given to your suggestion for the establishment of a Local Court of Appeal. The great obstacle in respect of this, as well as other improvements, is the additional expenditure necessary for the purpose.

The same difficulty exists with regard to many recommendations made in Committee of Supply, which have been forwarded to me. Willing as I should be to see them carried into effect, the present financial position of the Colony does not permit me to do what I should otherwise desire to accomplish. But if there should be improvement in the Revenue, with economy in the Expenditure under the Appropriation Act, I hope to be able to liquidate the arrears due to the Common School Teachers in Vancouver Island for 1867 and 1868, in accordance with your Resolution requesting me to do so. And other matters may be provided for in the financial arrangements for the ensuing year.

I trust that when I shall have the pleasure of meeting the Council at the next Session, it may be under circumstances affording renewed hope and restored confidence in the future fortunes of British Columbia.

I now prorogue your Honourable Council, and the same is hereby prorogued accordingly.

*Government House,  
23rd April, 1870.*

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JOURNALS  
OF THE  
LEGISLATIVE COUNCIL  
OF  
BRITISH COLUMBIA

FROM THE 5<sup>TH</sup> JANUARY TO THE 28<sup>TH</sup> MARCH, 1871

IN THE  
34<sup>TH</sup> YEAR OF THE REIGN OF HER MAJESTY

QUEEN VICTORIA

BEING THE EIGHTH SESSION OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA





ROLL  
OF THE  
HONOURABLE THE LEGISLATIVE COUNCILLORS  
OF  
*British Columbia,*

FOR THE EIGHTH SESSION OF THE LEGISLATIVE COUNCIL  
BEING THE YEAR 1871, 34° VICTORIÆ.

---

THE HON. PHILIP JAMES HANKIN, COLONIAL SECRETARY, (SPEAKER.)  
,, GEORGE PHILLIPPO, ATTORNEY GENERAL,  
,, JOSEPH WILLIAM TRUTCH,\* CHIEF COMMISSIONER OF LANDS AND  
WORKS AND SURVEYOR GENERAL.  
,, WYMOND OGILVY HAMLEY, COLLECTOR OF CUSTOMS.  
AUGUSTUS FREDERICK PEMBERTON, ESQUIRE, J. P.  
EDWARD GRAHAM ALSTON, ESQUIRE, J. P.  
HENRY NATHAN, ESQUIRE, VICTORIA CITY.  
THE HON. JOHN SEBASTIAN HELMCKEN, VICTORIA CITY.  
AMOR DECOSMOS, ESQUIRE, VICTORIA DISTRICT.  
ARTHUR BUNSTER, ESQUIRE, NANAIMO.  
HUGH NELSON, ESQUIRE, NEW WESTMINSTER.  
CLEMENT FRANCIS CORNWALL, ESQUIRE, HOPE, YALE, AND LYTTON.  
THOMAS BASIL HUMPHREYS, ESQUIRE, LILLOOET AND CLINTON.  
THE HON. ROBERT WILLIAM WEIR CARRALL, CARIBOO AND SODA CREEK.  
ROBERT JAMES SKINNER, ESQUIRE, KOOTENAY AND COLUMBIA RIVER.

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\* Replaced by Peter O'Reilly, who was sworn in 21 February 1871.



# BRITISH COLUMBIA

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COLONIAL SECRETARY'S OFFICE,  
13th October, 1870.

THE Governor directs the publication, for general information, of the following Despatch from Her Majesty's Principal Secretary of State for the Colonies, with its enclosures.

By Command.  
PHILIP J. HANKIN.

COPY.

BRITISH COLUMBIA.  
No. 11.

DOWNING STREET,  
22nd August, 1870.

SIR,—In your Despatch, No. 20, of the 23rd February, you recommended to my predecessor an alteration in the present Legislative Constitution of British Columbia, and requested to be furnished with the necessary authority for effecting it. As it appears both from that Despatch and from your previous correspondence, that the Colonists are desirous of being placed in formal possession of Representative Institutions, and that the particular scheme advocated with clearness and cogency in your present Despatch is likely to be acceptable to them, Her Majesty's Government have had no difficulty in adopting your recommendation. But as it appeared that this scheme could not be carried into effect without an Act of Parliament, they thought it best that Her Majesty should be advised, under authority of an Act, to establish at once a Representative Legislature with the power of altering its own Constitution, which is given by the 28 and 29 Victoria, Cap 63, rather than to remit the question, perhaps for protracted discussion, to the present somewhat anomalous Council.

The pressure of parliamentary and other business has caused some delay in giving effect to this decision, but I have now the satisfaction of transmitting to you copies of "The British Columbia Government Act, 1870," and of the Order in Council passed under that Act. The Original Order in Council is transmitted in my Despatch No. 12, of even date herewith.

It is unnecessary for me to dwell in detail upon the different provisions of this Order, which are in truth sufficiently simple. You will perceive that the Legislative Council is to consist, according to your suggestion, of Fifteen Members, of whom nine are to be elective, six non-elective, and that, subject to any dissolution, the elected members are to hold their seats for four years.

By the 9th Section very large powers are vested in you "until the meeting of the first Council." Having entire confidence in your ability and judgment, I purposely refrain from giving you any definite instructions as to the exercise of those powers on matters of detail, upon which your own knowledge is so much more complete than my own. I do not doubt that you will take the steps best calculated to secure a thoroughly trustworthy representation, and one which will command the confidence of the country.

You will observe that by the last Section of the Order in Council, the power conferred on "Representative Legislatures" by the Imperial Act 28 and 29 Victoria, Cap 63, are, to avoid the possibility of any doubt, expressly reserved to the newly constituted Legislature.

I shall watch with great interest the working of the new Council, and the more so as it seems highly probable that one of the first questions submitted to them will be the important question of Union with the Dominion of Canada. Upon this subject the views of Her Majesty's Government have been fully expressed in my predecessor's Despatch of the 14th August, 1869. I have, &c.,

(Signed) KIMBERLEY.

To Governor Musgrave,  
&c., &c., &c.





## CHAP. 66.

### An Act to make further provision for the Government of British Columbia.

[9th August, 1870.]

Preamble.  
21 & 22  
Vict. c. 99.

**W**HEREAS in pursuance of the powers vested in Her Majesty by an Act passed in the Session holden in the twenty-first and twenty-second years of Her Majesty's reign, intituled "An Act to provide for "the Government of British Columbia," Her Majesty did, by an Order in Council, bearing date the eleventh day of June, one thousand eight hundred and sixty-three, constitute a Legislature consisting of the Governor and a Legislative Council in the said Colony of British Columbia:

And whereas by the British Columbia Act of 1866, Vancouver Island was united to British Columbia and made subject to the said Legislature, and the number of the Legislative Council was increased so as to provide for the representation of Vancouver Island:

And whereas it is expedient to alter the constitution of the said Legislature:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Short Title.

1. This Act may be cited as "The British Columbia Government Act, 1870."

Interpretation  
of term  
"Governor."

2. For the purposes of this Act, the term "Governor" shall mean the officer for the time being administering the government of British Columbia.

Power to Her  
Majesty by  
Order in  
Council to  
constitute a  
Legislature.

3. Her Majesty may, by an Order or Orders in Council, revoke the said recited Order in Council, and may from time to time make, and when made revoke or alter, Orders in Council for constituting a Legislature consisting of the Governor and a Legislative Council for the said Colony, and may by any such Order make such provisions and regulations respecting the constitution, powers, and proceedings of the said Legislature or either branch thereof, the number, the appointment, and election of the members of the Legislative Council, their tenure of office, and generally in respect to such Legislature or either branch thereof, as may seem to her expedient.

Power to Her  
Majesty to  
delegate  
certain powers  
to the  
Governor of  
British  
Columbia.

4. Her Majesty may from time to time, by any such Order or Orders in Council, empower the Governor of the said Colony, with or without any conditions or restrictions, by proclamations, to determine the qualification of electors and of elective members of the Legislative Council, and to make provision for the division of the said Colony into convenient electoral districts; for the registration of persons qualified to vote, and the compilation and revision of lists of all such persons; for the appointment of returning officers; for the issuing, executing, and returning the necessary writs for the election of members to the said Legislative Council; for taking the poll thereat, and determining the validity of all disputed returns; and generally for securing the orderly, effective, and impartial conduct of such elections, and to revoke any proclamation previously made.

## Draft of an Order in Council passed by the Queen in Council for constituting a Legislative Council for the Colony of British Columbia.

*At the Court at Osborne House, Isle of Wight, the 9th day of August, 1870.*

PRESENT:

THE QUEEN'S MOST EXCELLENT MAJESTY.

LORD PRESIDENT.  
LORD PRIVY SEAL.  
MR. GLADSTONE.

MR. CHANCELLOR OF THE EXCHEQUER.  
SIR WILLIAM HEATHCOTE, BART.  
LORD JUSTICE MELLISH.

[Dated 9th August, 1870.]

WHEREAS by the "British Columbia Government Act, 1870."

Her Majesty was empowered by Order or Orders in Council to constitute a Legislature consisting of the Governor and a Legislative Council for the Colony of British Columbia, and to make such Provisions and Regulations in respect of such Legislature, or either branch thereof, as might seem to be expedient, and further to delegate certain Powers therein mentioned to the Governor of the said Colony:

It is hereby Ordered by Her Majesty, by and with the Advice of Her Privy Council, and in pursuance and exercise of the Powers vested in Her Majesty by the said Act of Parliament, as follows, that is to say:

I. In this Order in Council the term "Governor" shall mean the Officer for the time being lawfully Administering the Government of the Colony of British Columbia.

II. The Order in Council of the Eleventh day of June, 1863, referred to in the said Act, shall be, and the same is hereby Revoked, except that the Legislative Council Constituted by the said Order shall, "unless first Dissolved by the Governor," retain all the Powers thereby granted to it in like manner as if the said Order had not been Revoked until the Return of the First Writs of the future Legislative Council Constituted under this Order.

III. There shall be in the said Colony a Legislative Council Constituted as hereinafter mentioned.

Legislative  
Council  
appointed.  
Governor's  
power to make  
Laws.

IV. It shall be lawful for the Governor, with the advice and consent of the said Council, to make Laws for the Peace, Order, and good Government of the said Colony.

Constitution  
of Legislative  
Council.  
Non-Elective  
Members.

V. The said Council shall consist of Fifteen Members, of whom Nine shall be Elective, and Six non-Elective.

VI. The non-Elective Members shall consist of such Persons or Officers as shall from time to time be Named or Designated by the Governor by Instruments to be passed under the Public Seal of the said Colony: Provided that every such Appointment or Designation shall be provisional only until the same shall have been Confirmed by Warrant under Her Majesty's Sign-Manual and Signet; and that such Appointment or Designation shall be during Her Majesty's Pleasure only, and may be Revoked by like Warrant.

Elective  
Members &  
Electoral  
Districts.

VII. Subject to any Re-arrangement and Redistribution of the present Electoral Districts by the Governor under the Powers herein-vested in him, the Elective Members shall be chosen by the Electors of the present Electoral Districts.

Qualification  
of Electors  
and Elective  
Members.

VIII. Subject to any alteration of Franchise or Qualification by the Governor under the Powers hereinafter vested in him, every Male of the full Age of Twenty-one Years, being entitled within the said Colony to the Privileges of a Natural-born British Subject, and being able to read English, shall be qualified to Vote at any such

Election, and to be Elected a Member of such Legislative Council, unless he shall have been Convicted of any Treason, Felony, or other Infamous Offence, and shall not have received a Free or Conditional Pardon for such Offence, or have undergone the Sentence passed upon him for such Offence.

Powers of Governor.

IX. Until the First Meeting of the said Council, it shall be lawful for the Governor from time to time by Proclamation, to determine the Qualification of Electors, and of Elective Members, and to make provision for Divisions of the said Colony into convenient Electoral Districts, for the Registration of Persons qualified to Vote, and the Compilation and Revision of Lists of all such Persons; for the Appointment of Returning Officers, for the Issuing, Executing, and Returning the necessary Writs for the Election of Members to the said Council; for taking the Poll thereat and determining the validity of all Disputed Returns, and generally for securing the Orderly, Effective, and Impartial conduct of such Election.

Convoking of Council. Proviso.

X. The Governor shall, by Proclamation as aforesaid, fix the time and place or places for holding the Meetings of the said Council. Provided that the said Council shall be convoked within Six Months after the Publication of this Order in the said Colony, and once at least in every subsequent Year.

Prorogation, Dissolution, and Duration of Council.

XI. The Governor may by Proclamation as aforesaid, Prorogue or Dissolve the said Council when he shall think fit; and, in the Absence of such Dissolution, the Elected Members of the said Council shall hold their seats for Four Years from the Day of the Returning of the First Writs for the Election of Members to the said Council, and no longer.

Seats of Members, how vacated.

XII. If any Member of the Council shall, without the permission of the Governor first obtained, fail during a whole Session to give his Attendance in the said Council, or shall take any Oath, or make any Declaration or Acknowledgment of Allegiance, Obedience, or Adherence to any Foreign State or Power; or shall do, concur in, or adopt any Act whereby he may become the Subject or Citizen of any such State or Power, or shall become a Bankrupt or an Insolvent Debtor, or a public Defaulter, or be attainted of Treason, or be convicted of Felony or any Infamous Crime, or shall for the period of One Month remain Party to any contract with the Government, or, not being an *Ex Officio* Member of the Council, shall by Writing under his Hand, addressed to the Governor, Resign his Seat therein; or if any Elective Member shall accept any Office of Emolument from the Government, his Seat in the said Council shall thereupon become vacant.

Appointment of Substitute for Non-Elective Member.

XIII. If any Non-Elective Member shall be incapable of acting or be absent from the Colony, the Governor may, by an Instrument to be passed under the Public Seal of the Colony, appoint a Substitute to act during such incapacity or absence.

Vacant Seats, how to be filled up.

XIV. Whenever it shall be established to the satisfaction of the Governor that the Seat of any Elected Member of the Council has become Vacant, the Governor shall forthwith issue a Writ for the Election of a new Member to Serve in the Place so Vacated during the remainder of the term of the continuance of such Council; but if any question shall arise respecting the fact of such Vacancy, it shall be referred by the Governor to the said Council, and shall be heard and determined by them.

Oath of Allegiance to be administered to Legislative Councillors.

XV. No Member of the Council shall vote or sit therein until he shall have taken and subscribed the following Oath before the Governor or some Person authorized by him to Administer such Oath:—

"I, A.B. do swear that I will be faithful and bear true  
"Allegiance to Her Majesty Queen Victoria, Her Heirs  
"and Successors, according to Law.

"So help me God."

Affirmation or Declaration.	But every Person authorized by Law to make a solemn Affirmation or Declaration, instead of taking an Oath, may make such Affirmation or Declaration in lieu of the said Oath.
Speaker to be Elected. Vacant Office of Speaker, how to be filled up.	XVI. The Council shall, on their first Meeting, before proceeding to the dispatch of any other Business, elect one of their Members to be Speaker, which Election being confirmed by the Governor, shall be valid and effectual during the continuance of the Council, or until the said Speaker shall Die or Resign his Office by writing under his Hand, addressed to the Governor, or shall Cease to be Member of the Council; and in case of Vacancy in the said Office, another Speaker shall be elected in manner and subject to such confirmation aforesaid.
Acting Speaker to preside during the Speaker's Absence.	XVII. The Speaker, or in his absence, some Member Elected by the Council, shall preside at the Meetings thereof.
Quorum for Business.	XVIII. The Council shall not be competent to proceed to the despatch of any business, except that of adjournment, unless Six Members be present.
Voting, and Speaker's Casting Vote.	XIX. All questions shall be determined by a Majority of Votes of the Members present other than the Speaker or Presiding Member. When the Votes are equal, the Speaker or Presiding Member shall have a Casting Vote.
Standing Rules and Orders.	XX. The Council shall at its first Meeting, and from time to time afterwards, as occasion may require, adopt Standing Rules and Orders for the orderly conduct of business, which Rules and Orders shall become valid and effectual when confirmed by the Governor.
Revenue Bills.	XXI. The Council shall not pass, nor shall the Governor assent to, any Bill appropriating any part of the Public Revenue for any purpose which shall not first have been recommended to the Council by the Governor during the Session in which such Bill was proposed, and no part of the said Revenue shall be issued, except in pursuance of Warrant under the hand of the Governor, directed to the Public Treasurer of the Colony.
Initiation of Laws by the Governor.	XXII. The Governor may transmit by Message to the Council, the Draft of any Laws which it may appear to him desirable to introduce, and all such Drafts shall be taken into consideration by the Council in such convenient manner as shall be by the Rules and Orders provided for that purpose.
Governor may return Bills passed by the Legislative Council.	XXIII. Whenever any Bill shall be presented to the Governor, for his assent thereto, he may return the same by Message, for the reconsideration of the Council, with such Amendments as he may think fitting.
No Law to take effect until assented to.	XXIV. No Law shall take effect until the Governor shall have assented to the same on behalf of Her Majesty, and shall have Signed the same in token of such assent.
Disallowance of Laws by Her Majesty.	XXV. Her Majesty may, by Order in Council, or through one of Her Principal Secretaries of State, Disallow any Law passed by the said Governor and Council at any time within Two Years after such Law shall have been received by the Secretary of State; and every Law so disallowed shall become Null and Void so soon as the Disallowance thereof shall be published in the Colony by authority of the Governor.
Powers of Legislative Council. 28 and 29 Victoria, Cap. 63.	XXVI. Nothing herein contained shall be taken to Limit the Powers conferred upon such Council by an Act passed in the Session holden in the Twenty-eighth and Twenty-ninth Years of the Reign of Her Majesty, intituled "An Act to remove Doubts as to the Validity of Colonial Laws."

And the Right Honourable the Earl of Kimberley, One of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

(Signed) ARTHUR HELPS.



## BRITISH COLUMBIA.



## PROCLAMATION

By His Excellency ANTHONY MUSGRAVE, ESQUIRE, Governor and Commander-in-Chief in and over the Colony of British Columbia and its Dependencies, Vice-Admiral and Ordinary of the same, &c., &c., &c.

**B**Y VIRTUE of the powers and authorities conferred upon me by the "British Columbia Act, 1870," and by the Order of Her Majesty in Council, made in pursuance of the said Act, bearing date the 9th day of August, 1870, above set forth, I do hereby proclaim as follows:—

1. The Colony of British Columbia shall be divided into the following Electoral Districts:—

The City of Victoria,  
The District of Victoria,  
The District of Nanaimo,  
The District of New Westminster,  
The District of Yale.  
The District of Lillooet.  
The District of Kootenay, and  
The District of Cariboo.

2. Two Members shall be returned for the City of Victoria, and one Member for each of the other Districts.

3. The Boundaries of the District of Victoria City shall be the same as those fixed by the "Victoria Municipal Ordinance, 1867," as amended by the "Victoria Municipal Amendment Ordinance, 1869."

4. Victoria District shall comprise all that portion of Vancouver Island and such Islands adjacent thereto, as were formerly Dependencies of the late Colony of Vancouver Island, lying to the Southward of a line drawn due East and West from the South-east corner of Cedar District, with the exception of that portion of Vancouver Island hereinbefore included in the District of Victoria City.

5. The District of Nanaimo shall comprise all that portion of Vancouver Island and such Islands adjacent thereto as were formerly Dependencies of the late Colony of Vancouver Island, lying to the Northward of a line drawn due East and West from the South-east corner of Cedar District.

6. The Boundaries of the District of New Westminster shall be the same as those specified in a Public Notice, issued from the Lands and Works Office on the 15th day of December, 1869, by my desire, and purporting to be in accordance with the provisions of the XXXIX. Clause of "The Mineral Ordinance, 1869," save that the New Westminster District and the Coast District therein respectively mentioned shall be amalgamated, and shall form together the Electoral District of New Westminster.

And the Districts of Yale, Lillooet, Kootenay, and Cariboo, shall respectively be comprehended within the Boundaries specified in the said Public Notice of the 15th day of December, 1869.

7. The Qualification of Electors in the several Districts, shall be the same as that mentioned in the said Order in Council, provided, however, that no person shall be Qualified to Vote in any District unless he has resided in such District for Three Months previous to the day of Election.

8. The Sheriff shall be the Returning Officer for the City and District of Victoria, and the Stipendiary Magistrate in each of the other Districts respectively shall be the Returning Officer for each such District.

9. The Writs of Election shall be issued by the Registrar of the Supreme Court at my instance, and shall be in the following form:—

VICTORIA, by the Grace of God of the United Kingdom of Great Britain and Ireland, and of the Colonies and Dependencies thereof, in Europe, Asia, Africa, America, Australasia, Queen Defender of the Faith.

*To the Returning Officer of the Electoral District of* \_\_\_\_\_.

WHEREAS for divers weighty causes Us thereunto moving, We have considered it advisable to summon a new Legislative Council. We therefore command you, firmly enjoining that having first made Proclamation in the said Electoral District of \_\_\_\_\_ immediately after the receipt of this Our Writ, and thereby notified (giving not less than Eight days' notice thereof) a day and place for Electing a Member to serve for the said Electoral District of \_\_\_\_\_, you cause on the said day and place a Member of the Legislative Council, the most fit and discreet, to be freely and indifferently chosen to represent the said Electoral District of \_\_\_\_\_, in Our Legislative Council, by those present at the day of Election, to be fixed by such Proclamation as aforesaid, and the name of such Member so chosen you cause to be returned by your Certificate, and cause the said Person so chosen as aforesaid, to come to the said Legislative Council, so that the said Member may have full and sufficient power for himself and the Commonalty of the said Electoral District of \_\_\_\_\_, severally from them to do and consent to those things which then and there, by the favor of God, shall happen to be ordained by the Common Council of Our said Colony upon the said affairs, so that for default of such Powers, or through Improvident Election of such Member, the said affairs remain not undone in any way, and that you Certify forthwith unto us into Our Supreme Court at the City of Victoria, the said Election so made, distinctly and openly, under your Seal, together with this Our Writ.

In testimony whereof We have caused these Our Letters to be made Patent under the Great Seal of Our said Colony of British Columbia. Witness at Our Government House at Victoria, the \_\_\_\_\_ day of \_\_\_\_\_ in the Year of Our Lord One thousand eight hundred and \_\_\_\_\_

By Command.

A. B.

Registrar of the Supreme Court.

10. Each Returning Officer shall, on receiving the Writ of Election, forthwith endorse thereon the date of his so receiving it. Immediately after his so receiving such Writ he shall, by Proclamation under his hand, proceed to fix the place, day, and hour at which he will proceed to hold the Election.

11. The Proclamation shall be in the following form:—

BRITISH COLUMBIA.

PROCLAMATION.

*Electoral District of* \_\_\_\_\_ }

To Wit:

Public Notice is hereby given to the Electors of the District of \_\_\_\_\_ that, in obedience to Her Majesty's Writ to me directed, and bearing date the \_\_\_\_\_ day of \_\_\_\_\_, in the Year of Our Lord One thousand eight hundred and \_\_\_\_\_, I require the presence of the said Electors at \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, at \_\_\_\_\_ o'clock in the noon, for the purpose of Electing a person [or persons, as the case may be] to represent them in the Legislative Council of this Colony; and

that in case a Poll be demanded and allowed in the manner by law prescribed, such Poll will be opened on the \_\_\_\_\_ day of \_\_\_\_\_, at [here mention the different places at which a Poll is to be opened and kept], of all which every person is hereby required to take notice and govern himself accordingly.

Given under my hand at \_\_\_\_\_ the \_\_\_\_\_ day of \_\_\_\_\_  
One thousand eight hundred and \_\_\_\_\_

Signature. A. B.,  
Returning Officer.

12. The Returning Officer shall cause the said Proclamation to be posted up on the outside of the outer door of the principal Court House in his District, and in such other public place or places where Notices are usually posted, as he may consider advisable, at least eight days before the day which by such Proclamation he has fixed for holding the said Election, which day so fixed shall be called the Nomination Day.

13. Neither the day of Nomination nor the day of the posting of such Proclamation shall be included within the said eight days.

14. Each Returning Officer shall, before the Nomination Day, make the following Declaration, and shall annex the same to his Return to the Writ of Election:—

I, the undersigned Returning Officer for the Electoral District of \_\_\_\_\_, do solemnly declare that I will act faithfully in the capacity of Returning Officer, without partiality, fear, favour, or affection.

Signature. A. B.,  
Returning Officer.

15. Every Returning Officer shall, at the time and place aforesaid fixed by him for opening the Election proceed to the Hustings, and shall make the following Proclamation:—

Oyez! Oyez! Oyez!

All persons are commanded and strictly enjoined to keep silence while Her Majesty's Writ for the present Election is publicly read,

And shall then and there read, or cause to be read, publicly the Writ of Election, and shall then require the Electors there present to name the person or persons whom they wish to represent them in the said Legislative Council, in obedience to the said Writ of Election.

16. If the Candidate, or their respective Agents, and the Electors then and there present, upon a show of hands, agree in the choice to be so made of the person or persons to represent the said Electors as aforesaid, and if, after such show of hands, a Poll be not demanded, the Returning Officer shall forthwith close the Election, and shall then and there openly proclaim the person or persons so chosen to be elected a Member or Members to represent in the Legislative Council the Electoral District for which such Election is had.

17. If a Poll be demanded by any Elector present, or any Candidate, or by the Agent of any Candidate, the Returning Officer shall grant such Poll for taking and recording the Votes of the Electors.

18. Any person authorized in writing may act as the Agent of a Candidate during the continuance of the Election.

19. Any Candidate may be required by any other Candidate, or by any Elector, or by the Returning Officer, to make the following Declaration, before he shall be capable of being elected:—

I, A. B., do declare that I am entitled within this Colony to the privileges of a natural born British Subject, and that I am able to read English.

20. When at any Election as aforesaid a Poll has been demanded and granted, each Returning Officer shall publicly proclaim from the Hustings the day previously fixed in and by his first Proclamation, and the different places at which the Poll shall be taken within his District for recording the Votes of the Electors.

21. The Poll shall be held, if demanded, if possible within eight days following the Nomination Day, within the hours of eight o'clock in the morning and four o'clock in the afternoon of such day, and if there are different Polling Places for the

Names of the Voters.	Their legal addition.	Their place of residence.	Objections.	Sworn or Read.	Voters refusing to take the oath or read English.	Name of person Voted for.



27. Each Returning Officer or Deputy Returning Officer, as the case may be, shall at the Polling Place kept by him, record, or cause to be recorded, in such Poll Book as aforesaid, and in the order in which they shall be given, the Votes of the Electors Voting at such Polling Place, by entering therein the name, surname, legal addition, and residence of each Elector so Voting, and when any Elector has taken the Oath required of him by this Proclamation, or shall have been required to read English, the Returning Officer or Deputy Returning Officer, as the case may be, shall state in the Poll Book that such Oath was taken by the Elector, or such English read, by entering after the name of such Elector, in the proper column in the said Poll Book, the words "sworn," or "read English," and nothing more.

28. In every case where the Vote of any person is objected to by any Candidate, or his Agent, the Returning Officer or Deputy Returning Officer, as the case may be, shall enter the objection in his Poll Book by writing after the name of the Voter, in the column for objections, the words "objected to" only, mentioning at the same time by which Candidate, or on behalf of what Candidate the objection has been made, by adding after the words "objected to" the name only of such Candidate.

29. The Returning Officer or Deputy Returning Officer, as the case may be, at any Election of a Member of the Legislative Council shall receive the Vote of any person who shall tender himself as a Voter, provided that such person shall, if required by any Candidate, or the Agent of any Candidate, or by the Deputy Returning Officer himself, take the following Oath or Affirmation, which such Deputy Returning Officer is hereby empowered to administer:—

You swear (or solemnly affirm) that your name is \_\_\_\_\_ ;  
that you are a subject of Her Majesty by birth (or naturalization), that you have resided within this District for three months, that you are of the full age of twenty-one years, that you have not before voted at this Election, either at this or any other Polling Place, and that you have not received anything, nor has anything been promised to you, either directly or indirectly, in order to induce you to vote at this Election. So help you God,  
and no other Oath or Affirmation shall be required of any person, and provided also that such persons shall satisfy such Returning Officer or Deputy Returning Officer, as the case may be, if required so to do by any of the persons aforesaid, that he is able to read English.

30. Whenever any Returning Officer or any Deputy Returning Officer, as the case may be, has reason to know or believe that frauds and violence are being practised, in violation of the rights of Electors, by which undue Votes are tendered, or that any Voter is not Qualified or has already Voted at the said Election and offers to Vote again, such Returning Officer or Deputy Returning Officer, as the case may be, shall Administer the Oath whether he be required so to do or not by any party, of which mention shall be made in the Poll Book.

31. When any such Voter has been so required by the Returning Officer, or Deputy Returning Officer, or by any Candidate, or the Agent of any Candidate, to take such Oath, or make such Affirmation, or to read English as aforesaid, and refuses to take or make the Oath or is unable to read English, his refusal or inability shall be stated by the Returning Officer or Deputy Returning Officer, as the case may be, by entering after the name of such person claiming to Vote the word "Refused," or the words "Unable to Read," and in every such case the Vote shall not be Taken or Recorded in the Poll Book.

32. Each Deputy Returning Officer shall deliver the Poll Books kept by him personally to the Returning Officer, and if unable to do so by sickness or otherwise, he shall deliver such Poll Book, under a sealed cover, to a person chosen by him, and shall mention on the outside of such cover the name of the person to whom it has been delivered to be so transmitted, and shall take a proper receipt therefor.

33. If any Candidate, or his Agent, or any Elector, complains to the Returning Officer before the proclamation of the state of the Poll at its close, that the Vote of any person not duly qualified (whether the Oath hereinbefore provided has been tendered to him or not, and whether he shall have taken such Oath or not) has been Recorded in any of the Polling Places in his District, or that any Vote has been improperly received, or that the Vote of any person duly qualified who has claimed to Vote at any Polling Place within the District has been improperly refused, it

shall be the duty of such Returning Officer before declaring the state of the Poll to enquire into the complaints made and to hear any evidence that may be adduced upon Oath, (which Oath such Returning Officer is hereby authorized to administer) to decide thereon, and to do what may seem to him to be just and right under the circumstances, either by altering and rectifying the Poll Lists or otherwise, but an entry must be made of such alteration and rectification in the Poll Lists under the hand of the Returning Officer; and in case any other objection not hereinbefore specifically provided for, is made by any or either of the Candidates, or on his or their behalf, the Returning Officer shall immediately inquire into and determine the same, and the decision of the Returning Officer shall be final in all cases so as aforesaid referred to him.

34. If no complaint be made (or if complaint be made immediately after the decision of the Returning Officer on the points submitted to him) each Returning Officer shall as soon as possible after the close of the Poll, ascertain the state of the General Poll at the Election, and as soon as he has ascertained the total number of Votes, he shall then and there openly proclaim at the principal Polling Place within the District where the nomination has taken place, has been duly Elected a Member or Members to represent such Electoral District the person or persons having the greatest number of Votes, and after such proclamation has been made no objection shall be allowed to be taken to the conduct of or proceedings at the Election in any manner whatever.

35. The Returning Officer shall have power to adjourn such proclamation of the state of the Poll from day to day until he has received all the Poll Books from the Polling Places in the District, and until he has decided upon all matters of complaint as aforesaid that may be made to him.

36. As soon as the state of the Poll is proclaimed (or if no Poll is demanded on the Nomination Day) at the close of the proceedings the Returning Officer shall make out a Certificate under his hand and seal naming the person or persons Elected as Member or Members as aforesaid, which Certificate shall be conclusive and shall be appended to the Writ of Election, and shall be returned with the Writ to the Office of the Registrar of the Supreme Court; but no person shall be named in such Certificate who has been publicly required in manner aforesaid to make a Declaration of his qualification prior to the proclamation of the state of the Poll, and has declined or refused so to do.

37. The Certificate shall be as follows:—

I do hereby certify that in obedience to the annexed Writ of Election to me directed, I have caused an Election to take place within the District of \_\_\_\_\_, and that the Electors of the said District have chosen \_\_\_\_\_ to represent the said District in the Legislative Council.

{SEAL}

Signature.

Returning Officer.

38. The Returning Officer shall transmit to the Registrar of the Supreme Court the Originals of the Poll Books, the Writ of Election, and the Declaration made by him and by any Deputy Returning Officer that he may have appointed for the due performance of their respective duties, and the Certificate lastly hereinbefore mentioned, immediately after the declaration of the Poll.

39. The Returning Officer and Deputy Returning Officer shall during the continuance of the Elections be Conservators of the Peace and invested for the maintenance of the Peace, for the arrest, detention, or admission to bail, trial, and conviction of any person or persons who break the Law, or trouble the Peace, with the same powers with which Justices of the Peace are invested in this Colony. And for the maintenance of the Peace and of Good Order at such Elections, each such Returning Officer or Deputy Returning Officer respectively may require the assistance of all Justices of the Peace, Constables, and other persons present at the Election, whether at the Hustings or at any Polling Place, to aid him in so doing, and may also swear in so many Special Constables as he deems necessary.

And each such Returning Officer or Deputy Returning Officer respectively, may arrest or cause to be arrested by verbal order, and may place in the Custody of one or more Constables or other persons for such time as in his discretion he may deem expedient, any person disturbing the Peace and Good Order, or may cause

such person to be imprisoned for any such offence, under an order signed by him, until any period not later than the final closing of the Election or of the Poll respectively.

IN WITNESS whereof I have hereunto set my hand and seal this thirteenth day of October, in the year of Our Lord One thousand eight hundred and seventy.

(Signed) A. MUSGRAVE.



By Command.  
PHILIP J. HANKIN,  
Colonial Secretary.

V.



R.

COLONIAL SECRETARY'S DEPARTMENT,  
19th December, 1870.

THE GOVERNOR has been pleased to appoint the following gentlemen to be Members of the Legislative Council of British Columbia:—

The Hon. Philip James Hankin,  
" George Phillippo,  
" Joseph William Trutch,  
" Wymond Ogilvy Hamley,  
Augustus Frederick Pemberton, Esq.,  
Edward Graham Alston, Esq.

By Command.  
PHILIP J. HANKIN,  
Colonial Secretary.

COLONIAL SECRETARY'S OFFICE,  
19th December, 1870.

THE GOVERNOR has been pleased to direct the publication of the following for general information:—

By Command.  
PHILIP J. HANKIN.

RETURN under the Writs issued for the Elections of Members of the Legislative Council of British Columbia:—

Victoria City.....	{ Henry Nathan, Esq.,
Victoria District.....	{ The Hon. John Sebastian Helmcken,
Nanaimo.....	Amor DeCosmos, Esq.,
New Westminster.....	Arthur Bunster, Esq.,
Hope, Yale, and Lytton.....	Hugh Nelson, Esq.,
Lillooet and Clinton.....	Clement Francis Cornwall, Esq.,
Cariboo and Soda Creek.....	Thomas Basil Humphreys, Esq.,
Kootenay and Columbia River....	The Hon. Robert William Weir Carrall,
	Robert James Skinner, Esq.,

(Signed) RICHARD WOODS,  
Registrar.

Registrar's Office,  
19th December, 1870.

## BRITISH COLUMBIA.



## PROCLAMATION

By His Excellency ANTHONY MUSGRAVE, ESQUIRE, Governor and Commander-in-Chief in and over the Colony of British Columbia and its Dependencies, Vice-Admiral and Ordinary of the same, &c., &c., &c.

*To the Honourable the Members of the Legislative Council of the said Colony, constituted under the Order of Her Majesty in Council, bearing date the ninth day of August, One thousand eight hundred and seventy; and all others whom it may concern:*

WHEREAS by an Order, made by Her Majesty in Council, bearing date the ninth day of August, One thousand eight hundred and seventy, and made in pursuance of the "British Columbia Government Act, 1870," it was ordered (amongst other things) that the Order in Council of the eleventh day of June, One thousand eight hundred and sixty-eight, referred to in the said Act, should be, and the same was, thereby revoked, except that the Legislative Council constituted by the said Order should "unless first dissolved by the Governor" retain all the powers thereby granted to it, in like manner as if the said Order had not been revoked, until the return of the first Writs of the future Legislative Council constituted under the recited Order:—That there should be in this Colony a Legislative Council constituted as therein mentioned; That it should be lawful for the Governor, with the advice and consent of the said Council, to make Laws for the peace, order, and good government of the said Colony; And, that the Governor should, by Proclamation, fix the time and place or places for holding the Meetings of the said Council.

And Whereas the Writs of the Legislative Council, referred to in the recited Order of the ninth day of August, One thousand eight hundred and seventy, have been duly issued, and are now returned into the Office of the Registrar of the Supreme Court, and the Order in Council of the eleventh day of June, One thousand eight hundred and sixty-eight, and the Legislative Council constituted thereunder have been and are now fully determined and ended:

And whereas it has seemed to be desirable to summon and convoke an early meeting of the new Legislative Council:

Now, therefore, by virtue of the power conferred upon me by the said recited Order in Council, and of all other powers and authorities in me in that behalf vested, I do hereby summon and call together the Legislative Council of British Columbia, as constituted under the recited Order in Council of the ninth day of August, One thousand eight hundred and seventy, to meet at the Legislative Council Chamber, in the City of Victoria on the fifth day of January, in the year of Our Lord One thousand eight hundred and seventy-one, FOR THE DISPATCH OF BUSINESS, and to treat and conclude upon those things which in the said Legislative Council may be ordained.

GIVEN under my hand and seal, at Victoria, the nineteenth day of December, in the year of Our Lord One thousand eight hundred and seventy, and in the thirty-fourth year of Her Majesty's Reign.

A. MUSGRAVE. [SEAL]

By Command.

PHILIP J. HANKIN,  
Colonial Secretary.



**JOURNALS**  
OF THE  
**LEGISLATIVE COUNCIL**  
OF  
**BRITISH COLUMBIA.**

SESSION 1871.

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**Thursday, the 5th day of January, 1871.**

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On this day being the first meeting of the Council for the dispatch of business, pursuant to a Proclamation, hereunto annexed, of His Excellency Anthony Musgrave, Governor and Commander-in-Chief of the Colony of British Columbia, Matthew Baillie Begbie, Esq., Chief Justice of British Columbia, appointed by *Dedimus Potestatem* for administering the Oath to the Members of the Council, came this day, at the hour of one o'clock P. M., into the Council Chamber, and Charles Good, Esq., Clerk of the Legislative Council; and Richard Woods, Esq., Registrar of the Supreme Court of British Columbia, having delivered to the said Charles Good a Roll containing a list of the names of such Members as had been returned to serve in this Council, the said Matthew Baillie Begbie did administer the Oath to the Members who appeared, which being done, and the Members having subscribed to the Roll containing the Oath, took their seats at the Council, viz:—

The Honourables P. J. Hankin, J. W. Trutch, G. Phillippo, W. O. Hamley, J. S. Helmcken, R. W. W. Carrall; and A. F. Pemberton, E. G. Alston, H. Nathan, H. Nelson, A. DeCosmos, and A. Bunster, Esquires.

Whereupon Mr. DeCosmos, addressing himself to the Clerk (who standing up pointed to him and then sat down) proposed to the Council for their Speaker the Hon. John Sebastian Helmcken.

The Hon. Mr. Helmcken having declined, and having proposed the Hon. Philip James Hankin as Speaker, the Hon. Mr. Carrall seconding, and the question, that the Hon. Philip James Hankin do take the Chair of this Council as Speaker, having been put by the Clerk,

It was Resolved, *nemine contradicente*, and the Clerk having declared the Hon. Philip James Hankin duly elected, he was conducted to the Chair by the Hon. Messrs. Helmcken and Carrall, where standing on the upper step, he returned his humble acknowledgment to the Council for the great honor they had been pleased to confer upon him by choosing him to be their Speaker.

After which the Council adjourned to the call of Mr. Speaker.

The Council having resumed its sitting, His Excellency Anthony Musgrave, Governor and Commander-in-Chief of the Colony, entered the Council Chamber, attended by his Private Secretary.

Mr. Speaker left the Chair, and His Excellency having occupied the same, Mr. Speaker was taken up and introduced as Speaker to the Governor, by the Hon. Messrs. Helmcken and Carrall.

Mr. Speaker then addressed His Excellency, as follows:—

MAY IT PLEASE YOUR EXCELLENCY:

The Council have elected me as their Speaker, though I am but little able to fulfil the important duties thus assigned to me.

If, in the performance of those duties, I should at any time fall into error, I pray that the fault may be imputed to me and not to the Council whose Servant I am, and who through me the better to enable them to discharge their duty to their Queen and Country, humbly claim all their undoubted rights and privileges, especially that they may have freedom of speech in their debates, access to Your Excellency's person at all seasonable times, and that their proceedings may receive from Your Excellency the most favourable interpretation.

To which His Excellency replied as follows:—

MR. SPEAKER:

I approve of the choice made by the Council in the election of their Speaker.

I freely confide in the duty and attachment of the Council to Her Majesty's person and Government, and have no doubt that your proceedings will be conducted with wisdom, temper, and prudence, and I grant, and upon all occasions will recognize and allow, their constitutional privileges.

The Council shall also have access to me upon all seasonable occasions, and their proceedings, as well as their words and actions, will constantly receive my most favourable consideration.

His Excellency then made the following gracious Speech:—

*Mr. Speaker and Gentlemen of the Honourable Legislative Council:—*

It affords me great pleasure to be able to meet you in person at the commencement of this most important Session of the Legislature of the Colony; and I do so with especial satisfaction at a time when your body has been so reconstituted as to confer the advantage of legal representation upon the Constituencies of the several Electoral Districts.

In my Address to the late Legislative Council at its last Session, I pledged myself to recommend to the Secretary of State such a modification of the then existing Constitution as to allow the majority of the Members of the Legislative Body to be formally elected; and my suggestion has been approved and carried into effect. The Representative Members of your Body have been chosen with a full knowledge of the people of the community of the intention that to you shall be confided the final decision upon the great question of the expediency and conditions of the proposed Union of British Columbia with the Dominion of Canada.

At the close of last Session, I acquainted the Council that I should send a Delegation to Ottawa, to lay before the Government of Canada the Resolutions which have been adopted by that Council on the subject of Confederation, to explain our views and wants, and to learn how far the wants and expectations of the people of this Colony could be fulfilled in any arrangement for Union. The result of that mission has already been communicated to the Public; but I shall now lay before you formally the Report of the Privy Council of Canada upon the subject, which has been transmitted to me by Lord Lisgar. The terms of Union embodied in that Minute, which the Government of Canada is prepared to support in the Parliament of the Dominion, are, I believe, as liberal as this Colony can equitably expect. Indeed, in some respects the arrangements agreed upon are more advantageous to us than the scheme originally proposed. I submit them to you in full confidence that you will join with me in this conclusion; and I recommend to you at once to pass an Address to Her Majesty, in accordance with the provisions of the "British North America Act, 1867," praying for admission into the Union, on those terms and conditions. I have reason for believing that the Community at large desire this course, and no minor issues or local interests, which may quite as well be considered

and protected hereafter, ought to be allowed to hinder the progress of the arrangements likely to be beneficial to the Colony in general.

The agreement proposed contains the condition that the existing Tariff and Excise Duties shall be continued in force in British Columbia until the intended Railway from the Pacific Coast and the systems of Railways in Canada are connected, unless the Legislature of this Colony shall sooner decide to accept the Tariff and Excise Laws of Canada. This alternative will therefore form a separate question for your consideration, but it need not in any manner affect the adoption of the terms of agreement as they stand.

It is also provided that the Constitution of the Executive authority, and of the Legislature of British Columbia shall, subject to the provisions of the "British North America Act, 1867," continue as existing at the time of Union, until altered under the authority of the said Act; but it is also expressly stated, as understood, that the Government of Canada will readily consent to the introduction of Responsible Government when desired by the inhabitants of British Columbia. I am aware that a very general opinion prevails in favor of the adoption of this form of administration for the Local Government on Confederation. To introduce it simultaneously would be practically impossible if, as I hope, we should seek admission to the Union at an early date. Time would not be afforded to enable such a further enlargement and modification of the Legislative Constitution as will be necessary for the purpose of establishing the requisite legal machinery for a change in the form of the Executive Council, as well as of the Legislative Body as would be necessary, which cannot prudently be effected without some delay; and more details require to be settled than persons unacquainted with the working of the system would expect. But, if your Honourable House should be deliberately of opinion that this change is expedient, and that it will not be wiser to leave it for more leisurely consideration after Union, I shall, after the adoption of the proposed Terms of Union with Canada, be prepared to introduce for your consideration a Bill to enlarge the number of popular Representatives, excluding nominated Members from the Council, so as to enable a new Legislative Body and the form of administration known as Responsible Government to come into operation at the first Session of the Legislature subsequently to the Union.

The Estimates of Revenue and Expenditure for the ensuing year shall be promptly laid before you. In the preparation of these I have endeavoured to avoid any expenditure that can, without injury, be postponed. In the state of transition through which the Colony is now passing to a different system of administration, it is obviously desirable not to undertake services of novelty or magnitude, or to disturb existing arrangements.

I have been acquainted by the Secretary of State, that Her Majesty's Government no longer regard it as necessary that the Accounts of the Colony should be transmitted to England for Audit, and I have been required to report on the character of the precautions that may be taken to ensure that the local audit shall be conducted promptly, honestly, and without any influence on the part of the Executive.

It may not be desirable at present, having reference to impending political measures, to make any immediate change in the existing system of audit which I believe to be complete of its kind; but I recommend you to appoint a Committee to enquire into and report upon that system, with a view to its simplification, which I think may probably be effected after Confederation with Canada.

Previously to my arrival in the Colony a List of Taxes and sums due on Real Estate was in course of preparation by the direction of my Predecessor, under the provisions of the Fifth Section of the "Tax Sales Repeal Ordinance, 1867."

On the publication of this list many complaints have been made of erroneous charges, and of the hardship arising in many instances from the arrears which should have been paid by previous owners, and which were presumed to have been liquidated, now falling as a charge upon the land in the possession of other proprietors. The whole subject is a complicated one, not yet cleared from a confusion which gave rise to the Tax Repeal Ordinance itself, under which this list has been prepared. I shall cause a Bill to be submitted to you for the purpose of giving me authority to appoint a Commission to enquire into objections to these claims for arrears of taxes, with power to the Governor, on the Report of the Commissioners, to remit the liability in cases where it should equitably be removed.

I have appointed a Commisison to examine into the state of the Laws of the Colony, and to prepare an Act to repeal obsolete and useless enactments, which I hope to be able to submit to you during the Session, with a view to the publication of a revised edition of the Laws of the Colony as they stand at the time of Union, which may be readily accessible to all classes of the Community.

Beyond the subjects which I have mentioned, I do not now find it necessary to present any to your consideration. Our business during this Session is especially to deal with the great question of Union with Canada, which in a greater or less degree must affect every Department of Public Affairs. To this most important matter I am sure that you will give your ready and earnest attention. At no time in the history of this Colony has any Legislative Body, whether of the Mainland or Vancouver Island, been occupied with considerations of greater moment than those which now demand your solicitude, and which must so deeply affect the future progress of the Province. In every subject of public interest, but especially in one so weighty, I pray that the Almighty may guide your deliberations and bring them to a happy issue.

His Excellency then left the Council Chamber.

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## CANADA.

NIAGRA,  
July 7th, 1870.

SIR,—It gives me much pleasure to be able to announce to you the satisfactory termination of the negotiations between the Delegates whom you dispatched from British Columbia and the Ministers of the Dominion.

2. The terms of agreement have been embodied in a Memorandum, of which I enclose a copy. I have been requested by my responsible advisers to add the assurance that such provision shall be made for the retiring pensions of Public Officers in British Columbia as you may approve of.

3. The Hon. Mr. Trutch goes to England by the Mail Steamer of the 9th instant; the other two members of the Delegation return at once to British Columbia, and will, no doubt, give you full details and information on such points as may require it.

4. I announced the result of the negotiations, and sent a copy of the memorandum, to Lord Granville, on the 5th instant. I have, &c.,

(Signed) JOHN YOUNG.

*To His Excellency Governor Musgrave,  
&c., &c., &c.*

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## COPY OF A REPORT OF A COMMITTEE OF THE HONOURABLE THE PRIVY COUNCIL.

The Committee of the Privy Council have had under consideration a Despatch, dated the 7th May, 1870, from the Governor of British Columbia, together with certain Resolutions submitted by the Government of that Colony to the Legislative Council thereof, both hereunto annexed, on the subject of the proposed Union of British Columbia with the Dominion of Canada; and after several interviews between them and the Honourable Messrs. Trutch, Helmcken, and Carrall, the Delegates from British Columbia, and full discussion with them of the various questions connected with that important subject, the Committee now respectfully submit for your Excellency's approval the following Terms and Conditions, to form the basis of a Political Union between British Columbia and the Dominion of Canada:—

1. Canada shall be liable for the Debts and Liabilities of British Columbia existing at the time of Union.

2. British Columbia not having incurred debts equal to those of the other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments in advance from the General Government, Interest at the rate of five per cent. per annum on the difference between the actual amount of its indebtedness at



the date of the Union, and the indebtedness per head of the population of Nova Scotia and New Brunswick (\$27.77), the population of British Columbia being taken at 60,000.

3. The following sums shall be paid by Canada to British Columbia, for the support of its Government and Legislature, to wit, an Annual Subsidy of \$35,000 and an Annual Grant equal to 80 cents per head of the said population of 60,000, both half-yearly in advance, such Grant of 80 cents per head to be augmented in proportion to the increase of population, as may be shewn by each subsequent decennial census, until the population amounts to 400,000, at which rate such Grant shall thereafter remain, it being understood that the first census be taken in the year 1881.

4. The Dominion will provide an efficient Mail Service, fortnightly, by steam communication between Victoria and San Francisco, and twice a week between Victoria and Olympia; the Vessels to be adapted for the conveyance of freight and passengers.

5. Canada will assume and defray the charges for the following services:—

- A. Salary of the Lieutenant Governor;
- B. Salaries and allowances of the Judges of the Supreme Courts and the County or District Courts;
- C. The charges in respect to the Department of Customs;
- D. The Postal and Telegraphic Services;
- E. Protection and Encouragement of Fisheries;
- F. Provision for the Militia;
- G. Lighthouses, Buoys, and Beacons, Shipwrecked Crews, Quarantine and Marine Hospitals, including a Marine Hospital at Victoria;
- H. The Geological Survey;
- I. The Penitentiary;

And such further charges as may be incident to and connected with the services which by the British North America Act of 1867 appertain to the General Government, and as are or may be allowed to the other Provinces.

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony whose position and emoluments derived therefrom would be affected by Political changes on the admission of British Columbia into the Dominion of Canada.

7. It is agreed that the existing Custom Tariff and Excise Duties shall continue in force in British Columbia until the Railway from the Pacific Coast and the system of Railways in Canada are connected, unless the Legislature of British Columbia should sooner decide to accept the Tariff and Excise Laws of Canada. When Customs and Excise Duties are, at the time of the Union of British Columbia with Canada, leviable on any Goods, Wares, or Merchandize in British Columbia, or in the other Provinces of the Dominion, those Goods, Wares, and Merchandize may, from and after the Union, be imported into British Columbia from the Provinces now composing the Dominion, or from either of those Provinces into British Columbia, on proof of payment of the Customs or Excise Duties leviable thereon in the Province of Exportation, and on payment of such further amount (if any) of Customs or Excise Duties as are leviable thereon in the Province of Importation. This arrangement to have no force or effect after the assimilation of the Tariff and Excise Duties of British Columbia with those of the Dominion.

8. British Columbia shall be entitled to be represented in the Senate by three Members, and by six Members in the House of Commons. The representation to be increased under the provisions of the British North America Act, 1867.

9. The influence of the Dominion Government will be used to secure the continued maintenance of the Naval Station at Esquimalt.

10. The provisions of the British North America Act, 1867, shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to and only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this minute) be applicable to British Columbia, in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a Railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, East of the Rocky Mountains, towards the Pacific, to connect the Seaboard of British Columbia with the Railway system of Canada; and further, to secure the completion of such Railway within ten years from the date of the Union.

And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said Railway, a similar extent of Public Lands along the line of Railway throughout its entire length in British Columbia, not to exceed however Twenty (20) Miles on each side of said line, as may be appropriated for the same purpose by the Dominion Government from the Public Lands in the North-west Territories and the Province of Manitoba. Provided that the quantity of land which may be held under Pre-emption right or by Crown Grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government, shall be made good to the Dominion from contiguous Public Lands; and provided further, that until the commencement, within Two Years as aforesaid from the date of the Union, of the construction of the said Railway, the Government of British Columbia shall not sell or alienate any further portions of the Public Lands of British Columbia in any other way than under right of Pre-emption, requiring actual residence of the Pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said Railway, the Dominion Government agree to pay to British Columbia, from the date of the Union, the sum of \$100,000 per annum, in half-yearly payments in advance.

12. The Dominion Government shall guarantee the interest for Ten Years from the date of completion of the works, at the rate of Five per centum per annum, on such sum, not exceeding £100,000 sterling, as may be required for the construction of a first class Graving Dock at Esquimalt.

13. The charge of the Indians, and the trusteeship and management of the Lands Reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government, shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of the Indians on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of Land to be so granted, the matter shall be referred for the decision of the Secretary of State for the Colonies.

14. The Constitution of the Executive Authority and of the Legislature of British Columbia shall, subject the provisions of the British North America Act, 1867, continue as existing at the time of the Union until altered under the Authority of the said Act, it being at the same time understood that the Government of the Dominion will readily consent to the introduction of Responsible Government when desired by the Inhabitants of British Columbia, and it being likewise understood that it is the intention of the Governor of British Columbia, under the authority of the Secretary of State for the Colonies, to amend the existing Constitution of the Legislature by providing that a majority of its Members shall be elective.

The Union shall take effect according to the foregoing terms and conditions on such day as Her Majesty by and with the advice of Her Most Honourable Privy Council may appoint (on addresses from the Legislature of the Colony of British Columbia, and of the Houses of Parliament of Canada, in the terms of the 146th Section of the British North America Act 1867, and British Columbia may in its address specify the Electoral Districts for which the first Election of Members to serve in the House of Commons shall take place.

*Certified,*  
WM. H. LEE,  
Clerk Privy Council, Canada.

Mr. Nathan moved, Mr. Alston seconding,

That the Governor's Speech be printed for the use of Members.

Ordered accordingly.

The Hon. Mr. Trutch moved, the Hon. Mr. Carrall seconding,

That the Standing Orders of the previous Council be adopted for the present.

Ordered accordingly.

The Hon. Mr. Hamley moved, Mr. Nathan seconding,

That a Select Committee be appointed by Mr. Speaker, to draw up and submit a reply to His Excellency's gracious Speech.

Resolved accordingly.

Mr. Speaker named the following Committee:—Hon. Mr. Hamley, Messrs. Alston, Nathan, Bunster, Nelson.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Monday.

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### Monday, the 9th day of January, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Helmcken, Carrall, Hamley; Messrs. Nathan, DeCosmos, Nelson, Bunster, Alston, Pemberton.

The Hon. Mr. Speaker in the Chair,

To whom was presented Robert James Skinner, Esq., Member for Kootenay, having been introduced by A. DeCosmos, Esq.,

The Chief Justice being in attendance, then administered the Oath of Allegiance to Mr. Skinner, who having subscribed to the same, took his seat at the Council.

The Minutes of the previous Meeting were read and confirmed, the Minute of the Privy Council of Canada, sent down in His Excellency's Speech, having been ordered to be entered on the Minutes as read.

A Message from His Excellency the Governor, read as follows:—

*Message No. 1.*

A. MUSGRAVE.

The Governor forwards herewith to the Legislative Council, the Estimates of the Revenue and Expenditure for the Year 1871.<sup>1</sup>

*Government House,*

*5th January, 1871.*

The Hon. Mr. Carrall presented the Petition of the Miners of Cariboo.<sup>2</sup>

Ordered to be received and read. Read aloud accordingly by the Clerk.

Ordered to be printed for the use of Members and to lie on the table.

Mr. DeCosmos presented the Petition of Settlers in Lake District.

Ordered to be read. Read aloud accordingly by the Clerk.

Ordered to lie on the table.

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<sup>1</sup> See Appendix.

<sup>2</sup> Attached as Sessional Paper, *Journals of the Legislative Council of British Columbia*, 1871, pp. 51–52.

The Hon. Chief Commissioner gave a notice of motion.

Mr. Alston gave a notice of motion.

Mr. DeCosmos gave a notice of motion.

Mr. Skinner gave a notice of motion.

Mr. Nelson gave a notice of motion.

Mr. Skinner gave a notice of motion.

The Hon. the Attorney General moved, the Hon. Chief Commissioner seconding, and it was Resolved,

That a Message be sent to His Excellency the Governor, by one of the Members of the Executive Council in this Honourable House, requesting him to be pleased to confirm the Rules adopted by this Honourable House.

Pursuant to the Order of the day, the Hon. the Collector of Customs, Chairman of the Select Committee appointed to draw up a reply to His Excellency's gracious Speech, Brought up a Report.

Ordered to be read. Read aloud by the Clerk as follows:—

*To His Excellency Anthony Musgrave, Esq., Governor of British Columbia.*

We, Her Majesty's dutiful and loyal subjects, Members of the Legislative Council of British Columbia, rejoice that Your Excellency is able in person to meet us at the commencement of this most important Session, and we have pleasure in acknowledging our sense of obligation to Your Excellency for the enlarged powers and Representative Institutions which have been procured for the Colony.

2. We trust that the manner in which the new Constitution will operate will amply justify so great a proof of Your Excellency's confidence in the self-governing capacity and steady loyalty of the Inhabitants of British Columbia.

3. The Terms of Union embodied in the Minute of the Honourable Privy Council of Canada, and transmitted by the Governor General for the consideration and action of the Legislative Council of the Colony, shall receive that earnest and grave deliberation which the extreme importance of such a measure demands.

4. We wish to assure Your Excellency that we shall approach the subject with a sincere conviction of the necessity of making the proposed Union the means of conferring mutual and lasting practical benefits upon the two Countries now seeking to be Confederated.

5. The question submitted by Your Excellency, as to the desirability of the immediate introduction of Responsible Government into the Colony, is one the importance of which we fully estimate.

6. We will carefully consider the Estimates for the year, which have been laid before the Council.

7. The final audit of accounts within the Colony is of importance to the economical working of Government Offices in those portions of the Colony with which speedy communication upon matters of account cannot be had, and we appreciate Your Excellency's exertions and recommendations in this behalf.

8. The Bill for setting at rest disputes connected with arrears of Taxes upon Real Estate in Vancouver Island shall be carefully considered, with a view to equitable and final adjustment.

9. The revision of the Laws affecting the Colony, and their publication in one uniform Statute Book and in a readily accessible form, is a matter of universal moment to the Inhabitants of the Colony, and to the proper understanding of the regulations to which all Settlers are required by the Country to conform.

10. We are, like Your Excellency, impressed with the gravity of the juncture in public affairs upon which we are assembled, and we join Your Excellency in a fervent hope that we may, under the guidance of the Almighty, seek to arrive at a correct decision upon questions which will involve the progress and well-being of British Columbia for all time to come.



The Hon. Mr. Hamley moved that the Report be adopted, Mr. Nelson seconding.

Mr. DeCosmos moved, in amendment, Mr. Nathan seconding, that the Report be referred to a Committee of the whole House.

On the question being put it was Resolved in the affirmative.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, Mr. Alston reported that the Report had been considered and amended as follows:—

In Section 9, after "revision," the words "and assimilation" be omitted, and after the word "affecting," the words "the two portions" be omitted.

On the question of the adoption of the Report as amended being put, it was carried in the affirmative and Resolved accordingly.

Ordered that the reply be presented to His Excellency by the Members of the Council.

The Hon. the Chief Commissioner brought before the Council the subject of His Excellency's Message No. 1, viz. the Estimates.

The Hon. Mr. Helmcken moved, Mr. Nathan seconding,

That a Supply be granted to Her Majesty.

On the question being put it was carried *nem. con.*

Mr. DeCosmos moved that the Council do go into Committee of Supply on Friday next.

The Hon. Mr. Helmcken moved, in amendment, that the Council go into Committee of Supply to-morrow.

On the question being put it was carried in the affirmative and Resolved accordingly.

Mr. DeCosmos moved the adjournment till 3 to-morrow.

The Hon. Mr. Carrall, in amendment, till 1 to-morrow.

The amendment having been put and carried, the Council adjourned till 1 o'clock to-morrow.

## Tuesday, the 10th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Helmcken, Carrall; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Alston.

The Minutes of the previous Meeting read and confirmed.

Mr. DeCosmos gave notice of motion.

A Message from His Excellency the Governor, read as follows:—

*Message No. 2.*

A. MUSGRAVE.

The Governor has received the communication from the Speaker of the Honourable Legislative Council forwarding a copy of the Standing Rules which have

been adopted for the present guidance of the Council. The Governor confirms those Rules, and returns herewith the copy certified accordingly.

*Government House,  
10th January, 1871.*

Pursuant to the Order of the day, Mr. Nathan moved, Mr. DeCosmos seconding,

That His Excellency may be pleased to send down a Bill giving a guarantee, additional to that provided by the Dominion Government, of five per cent. on One hundred thousand pounds for a period of Twenty Years, dating from the expiration of that given by the Dominion Government, to a Company undertaking the construction of a Graving Dock at Esquimalt, according to Clause 12 of the proposed Terms of Confederation.

Mr. Nelson moved in amendment, Mr. Bunster seconding,

That the discussion of the above subject be referred to a Committee of the whole Council on Monday next.

Whereupon a debate arose, during which the Council adjourned to the call of the Speaker.

On the Council resuming its Sitting, Mr. Speaker acquainted the Council that agreeably to the Resolution of yesterday, he, in company with such Members as desired to attend, had waited on His Excellency with the reply to the opening Address, and His Excellency had been pleased to make thereto the following Rejoinder:

*Mr. Speaker and Gentlemen of the Honourable Legislative Council.*

I thank you for your Address, and I receive with gratification the assurance it contains that the important matters which will be submitted for your consideration will obtain your careful attention.

Debate on Mr. Nelson's amendment resumed.

And on the amendment being put the Council divided.

*Ayes 4, Noes 7.*

So the amendment was lost.

On the original question being put the Council again divided.

*Ayes 5, Noes 6.*

So it passed in the negative and the Resolution was lost.

On the Order of the day being read for Committee of Supply,

Mr. Skinner moved, Mr. Nelson seconding,

That the Council go into Committee of Supply on Friday next.

Hon. Mr. Helmcken moved, in amendment, that the Council go into Committee at once.

On the question being put it was carried in the affirmative and the Council went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the following Resolution for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted.

On the question being put, Resolved, That the following Supply be granted:—

Governor ..... \$2,052

Then, on motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Thursday.

### Thursday, the 12th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Helmcken, Carrall, Hamley; Messrs. Nathan, DeCosmos, Nelson, Bunster, Alston, Skinner.

The Hon. Mr. Speaker in the Chair.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, Mr. Skinner moved, Mr. DeCosmos seconding—

That an humble address be presented to His Excellency the Governor, asking that a sum be placed on the Estimates for the Survey of a Trail from the Shuswap viâ the Eagle Pass to Wild Horse Creek.

After some debate, question withdrawn by leave.

Pursuant to the Order of the day, Mr. Nelson moved, Mr. DeCosmos seconding—

That a respectful address be presented to his Excellency the Governor, praying for the construction of a Waggon Road from New Westminster to Yale, and that a sum of money be placed on the Estimates for the commencement of this most important work.

On the question being put the Council divided.

*Ayes 4, Noes 6.*

So it passed in the negative and the Resolution was lost.

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr. Nathan seconding—

That that portion of the Speech of His Excellency the Governor respecting Responsible Government, be taken into consideration in Committee of the whole.

Hon. Mr. Helmcken moved in amendment, Hon. Mr. Hamley seconding—

That the Governor be respectfully requested to send down to this House, in accordance with the information contained in his inaugural Address, a Bill "to enlarge the number of popular Members, excluding nominated Members from this Council, so as to enable a new Legislative Body, and the form of administration known as Responsible Government, to come into operation at the first Session of the Legislature subsequently to the Union of this Colony with Canada."

Mr. Bunster moved in amendment, Mr. Nelson seconding—

That this House after having given due consideration to that portion of the Speech of His Excellency the Governor respecting Responsible Government, is of opinion that Responsible Government is desired by the people of British

Columbia, and ought to be inaugurated simultaneously with Confederation; and that His Excellency the Governor be respectfully requested to send down a Bill providing for an increase in the number of Representatives in the Council and the exclusion of nominated Members, and to make such other provision as may be deemed advisable in order to secure the successful working of Responsible Government and its inauguration simultaneously with the Union of the Colony with the Dominion of Canada.

Upon which a debate arose, during which Mr. Nelson moved, that the same be adjourned.

On the question being put the Council divided.

*Ayes 5, Noes 7.*

The names, on request, having been taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nelson,	The Hon. Messrs. Trutch,
DeCosmos,	Hamley,
Bunster,	Helmcken,
Skinner,	Carrall,
Nathan.	Phillippo,
	Mr. Alston,
	Mr. Pemberton.

So the motion to adjourn the debate was lost.

Mr. Bunster's amendment was then put, on which the Council divided.

*Ayes 5, Noes 7.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nelson,	The Hon. Messrs. Helmcken,
DeCosmos,	Trutch,
Bunster,	Phillippo,
Skinner,	Carrall,
Nathan.	Hamley,
	Mr. Pemberton,
	Mr. Alston.

So the amendment was lost.

Mr. Helmcken's amendment was then put, on which the Council divided.

*Ayes 7, Noes 5.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Trutch,	Messrs. Nelson.
Phillippo,	DeCosmos,
Helmcken,	Bunster,
Carrall,	Skinner,
Hamley,	Nathan.
Mr. Pemberton,	
Mr. Alston.	



On the question being put, the Hon. Messrs. Trutch, Phillippo, Messrs. Pemberton, and Alston retired, and the Council divided.

*Ayes 5, Noes 3.*

So it was carried in the affirmative and Resolved accordingly,

That the Governor be respectfully requested to send down to this House, in accordance with the information contained in his inaugural Address, a Bill "to enlarge the number of popular Members, excluding nominated Members from the Council, so as to enable a new Legislative Body, and the form of administration known as Responsible Government, to come into operation at the first Session of the Legislature subsequently to the Union of this Colony with Canada.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock to-morrow.

### Friday, the 13th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Helmcken, Carrall; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Alston, Pemberton.

The Minutes of the previous Meeting read and confirmed after having been amended.

Clement Francis Cornwall, Esq., having been introduced to the Council Chamber, was sworn in by His Honor Chief Justice Begbie, and took his seat at the Council.

On the Order of the day being read for a motion of Mr. DeCosmos, to consider the Petition of certain Settlers,

On the motion of the mover, ordered to be deferred till Friday next.

Pursuant to the Order of the day, the Council went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman of the Committee, reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Resolved that the following sums be voted for the service of the Year 1871:—

Legislative Council .....	\$ 900
Colonial Secretary .....	9,224
Treasury .....	4,082
Attorney General .....	4,377
Chief Commissioner of Lands and Works .....	6,998

Collector of Customs .....	\$13,820
Post Office .....	3,200
Supreme Court .....	500
Attorney General .....	2,463
High Sheriff .....	1,500
Police and Gaols .....	16,568 95
Gold Commissioner, Kootenay .....	6,024 50
Do. Cariboo .....	13,910 00
Do. Yale .....	7,320 00
Do. Lillooet .....	4,608 00
Do. Nanaimo .....	3,714 00
Pensions .....	485 00
Revenue Services .....	1,000 00
Administration of Justice .....	3,900 00
Charitable Allowances .....	10,500 00
Education .....	15,000 00
Police and Gaols .....	12,000 00
Rent .....	264 00
Transport .....	3,250 00

Resolved, That a respectful address be presented to His Excellency the Governor, praying that the Salary of the Stipendiary Magistrate at Lillooet may be increased to \$3,000 per annum.

Resolved, That a respectful address be presented to His Excellency the Governor, for the purpose of placing in the Estimates an amount sufficient to pay the arrears of Salary that may be due the former Superintendent of Schools.

Ordered that leave be granted to sit again.

On the question of the adoption of the above Resolutions being put, it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Monday next.

### Monday, the 16th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmc-ken; Messrs. Nathan, Nelson, Cornwall, DeCosmos, Bunster, Skinner, Pemberton, Alston.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Carrall gave notice of motion.

Mr. Bunster gave notice of 2 motions.

On the Order of the day being read for a notice of the Hon. Mr. Trutch, respecting Confederation,

On the motion of the Hon. Member,

Ordered that the same be brought up first on Wednesday next.

Pursuant to the Order of the day, the Council went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman asked leave to sit again.

Ordered that leave be granted presently.

The Council went again into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported the following Resolutions for the adoption of the Council, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Resolved, that the following sums be voted for the Year 1871:—

Conveyance of Mails	_____	\$36,549 96
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Works and Buildings	_____	23,650 00
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Resolved, That the Council recommend that the Mail Service between New Westminster and Victoria be taken into consideration by the Executive, with the object of conveying, between these points, the Mails at regular and fixed periods, instead of irregularly as at present, at an increased Subsidy.

That the Contract for carrying the Mails between Victoria and Comox be put up to public competition in view of getting a better service.

That the Council recommend that the Steamer Sir James Douglas make semi-monthly trips between Victoria and Comox.

That an humble address be presented to His Excellency the Governor, asking that in any future contract for carrying the Mails to Cariboo, provision be made for a weekly service during the winter season and a semi-weekly service during summer.

That His Excellency the Governor, be respectfully requested to cause a sum of money to be placed upon the Estimates sufficient to ensure the carrying of Mails from Quesnelmouth to Omineca.

That a respectful address be presented to His Excellency the Governor, praying that a sum of \$1,000 be added to the Estimates to provide Mail Communication between Cache Creek and the Mission Valley on Okanagan Lake.

That an humble address be presented to His Excellency the Governor requesting an additional sum of \$600 be placed on the Estimates for the conveyance of Mails from Victoria to Kootenay.

That the Council recommend a sum of money, not exceeding \$100, be granted for receiving the Mails at the Steamboat Landing, Salt Spring Island, and to carry the same through the Settlements on the Island.

That the Council recommend that Tenders be called for to convey the Mails between Victoria and Saanich, Victoria and Metchosin, and Victoria and Esquimalt.

That an humble address be presented to His Excellency the Governor, respectfully requesting that he will cause the sum of \$15,000 to be placed upon the Estimates for the purpose of constructing a Waggon Road across the Giscome Portage, and improving the navigation of Crooked and Omineca Rivers; and that such further sum be placed upon the Estimates, as His Excellency may deem sufficient, for the purpose of exploring for the best route for a Trail from Quesnelmouth to Germansen Creek, and for making the same as soon as the exploration is completed.

That this Council recommend that \$3000 be granted to open a Trail from the Forks of Skeena to Tatla Landing, providing there are sufficient funds at the disposal of the Government.

On the question of the adoption of the foregoing Resolutions being put, it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock, to-morrow.

## Tuesday, the 17th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmen; Messrs. Alston, Pemberton, Nathan, Nelson, DeCosmos, Bunster, Skinner.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Council went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the following Resolutions passed, and asked leave to sit again.

Ordered that leave be granted.

Resolved, That the following Supplies be voted for the Year 1871:—

Roads, Streets, and Bridges .....	\$54,550 00
Miscellaneous Services .....	23,260 00
Interest .....	103,440 00
Drawbacks and Refunds .....	2,100 00
Sinking Fund .....	50,197 50
Home Government Account .....	3,274 30
Government Vessels .....	12,800 00
Light Houses .....	9,370 00



Resolved, That a sum be placed on the Estimates in support of the Fire Department of New Westminster, not exceeding the amount allowed the Deluge Company, Victoria.

That the sum of \$500 be placed on the Estimates for the Williams Creek Fire Brigade.

That the Representative Members of the Council be indemnified for their expenses in attending to their Legislative duties during the present Session.

On the question of the adoption of the foregoing Resolutions being put, it was carried in the affirmative and Resolved accordingly.

Mr. Nathan moved the suspension of the Standing Orders to enable him to give a notice of motion.

Ordered accordingly.

Mr. Nathan gave notice of motion.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Wednesday.

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### Wednesday, the 18th day of January, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmcken; Messrs. Nathan, Nelson, Cornwall, DeCosmos, Bunster, Skinner, Pemberton, Alston.

The Minutes of the previous Meeting read and confirmed.

Mr. DeCosmos presented three Petitions from Merchants and Farmers of Victoria District.

Ordered to be read. Read aloud by the Clerk.

Ordered to lie on the table.

Mr. Nathan gave a notice of motion.

Pursuant to the Order of the day, the Hon. Mr. Trutch moved, the Hon. Mr. Helmcken seconding—

That this Council do now resolve itself into Committee of the Whole to prepare an Address to Her Most Gracious Majesty the Queen, praying for the Confederation of British Columbia with the Dominion of Canada on the terms offered to this Colony by the Government of the Dominion, as specified in the Minute of the Honourable the Privy Council of Canada, transmitted in the Despatch from the Governor General of Canada on the 7th of July, 1870, addressed to the Governor, and laid before this Council by His Excellency with his opening Speech.

On the question being put, it was carried *nem. con.* and Resolved accordingly.

The Council went into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported some progress made with the Address, and asked leave to sit again.

Ordered that leave be granted for the next sitting of the Council.

Mr. Nathan moved that the Standing Orders be suspended to enable him to give a notice of motion.

Standing Orders suspended accordingly.

Mr. Nathan gave a notice of motion.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Friday.

### Friday, the 20th day of January, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Philippo, Helmcken, Carrall, Hamley; Messrs. Nathan, DeCosmos, Nelson, Bunster, Alston, Skinner.

Mr. Speaker read the following *Dedimus Potestatem* from the Governor empowering him to swear in T. B. Humphreys, Esq.

*To the Hon. Philip James Hankin, Speaker of the Legislative Council of British Columbia, and whom else it may concern:*

*Greeting.*

KNOW YE that ANTHONY MUSGRAVE, ESQUIRE, Governor of the Colony of British Columbia, reposing special trust and confidence in the fidelity, learning, and integrity of the said Philip James Hankin, and under and by virtue of all powers and authorities him, the said Anthony Musgrave, as such Governor in that behalf enabling, hath appointed, and by these presents doth give and grant unto the said Philip James Hankin full power and authority to administer the customary oath to Thomas Basil Humphreys.

Given under my hand and seal, at Victoria, British Columbia, this Twentieth day of January, One thousand eight hundred and seventy-one.

A. MUSGRAVE.

Thomas Basil Humphreys, Esquire, entered the Council Chamber, to whom Mr. Speaker administered the customary Oath of Allegiance, and who then took his seat at the Council.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 3.*

A. MUSGRAVE.

The Governor forwards herewith to the Legislative Council a Bill entitled "An Act to appropriate the sum of Three hundred and forty-seven thousand five hundred and thirty-five dollars and one cent, out of the General Revenue of the Colony, for the contingent service of the year 1871."

*Government House,*

18th January, 1871.

The Hon. Mr. Trutch moved, the Hon. Mr. Carrall seconding, that the Supply Bill be now read a first time. Ordered accordingly.

Bill read first time.

Ordered to be read second time at once.

Read second time accordingly.

Ordered to be committed on Monday next.

Mr. Humphreys spoke to a question of privilege.

The Hon. Mr. Carrall gave notice of motion.

Mr. Nathan gave notice of motion.

Mr. Humphreys gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on an Address to the Queen on Confederation.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the following Address to the Queen to have been adopted by the Committee:—

TO THE QUEEN'S MOST EXCELLENT MAJESTY.

*Most Gracious Sovereign:*

We, Your Majesty's most dutiful and loyal Subjects, the Members of the Legislative Council of British Columbia in Council assembled, humbly approach Your Majesty for the purpose of representing:—

That, during the last Session of the late Legislative Council, the subject of the admission of the Colony of British Columbia into the Union or Dominion of Canada was taken into consideration, and a Resolution on the subject was agreed to, embodying the terms upon which it was proposed that this Colony should enter the Union;

That, after the close of the Session, Delegates were sent by the Government of this Colony to Canada, to confer with the Government of the Dominion with respect to the admission of British Columbia into the Union upon the terms proposed;

That, after considerable discussion by the Delegates with the Members of the Government of the Dominion of Canada, the Terms and Conditions hereinafter specified were adopted by a Committee of the Privy Council of Canada, and were by them reported to the Governor General for his approval;

That, such Terms were communicated to the Government of this Colony by the Governor General of Canada, in a Despatch dated July 7th, 1870, and are as follows:—

1. Canada shall be liable for the Debts and Liabilities of British Columbia existing at the time of the Union.

2. British Columbia not having incurred debts equal to those of the other Provinces now constituting the Dominion shall be entitled to receive, by half-yearly payments in advance from the General Government, Interest at the rate of five per cent. per annum on the difference between the actual amount of its indebtedness at the date of the Union, and the indebtedness per head of the population of Nova Scotia and New Brunswick (\$27.77), the population of British Columbia being taken at 60,000.

3. The following sums shall be paid by Canada to British Columbia for the support of its Government and Legislature, to wit: and Annual subsidy of \$35,000 and an Annual Grant equal to 80 cents per head of the said population of 60,000 both half-yearly in advance, such Grant of 80 cents per head to be augmented in proportion to the increase of population, as may be shewn by each subsequent decennial census, until the population amounts to 400,000, at which rate such Grant shall thereafter remain, it being understood that the first census be taken in the year 1881.



4. The Dominion will provide an efficient Mail Service, fortnightly, by steam communication between Victoria and San Francisco, and twice a week between Victoria and Olympia; the Vessels to be adapted for the conveyance of freight and passengers.

5. Canada will assume and defray the charges for the following Services:—

A. Salary of the Lieutenant Governor;

B. Salaries and allowances of the Judges of the Superior Courts and the County or District Courts;

C. The charges in respect to the Department of Customs;

D. The Postal and Telegraphic Services;

E. Protection and Encouragement of Fisheries;

F. Provision for the Militia;

G. Lighthouses, Buoys, and Beacons, Shipwrecked Crews, Quarantine and Marine Hospitals, including a Marine Hospital at Victoria;

H. The Geological Survey;

I. The Penitentiary;

And such further charges as may be incident to and connected with the services which by the British North America Act of 1867, appertain to the General Government, and as are or may be allowed to the other Provinces;

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony whose position and emoluments derived therefrom would be affected by Political changes on the admission of British Columbia into the Dominion of Canada.

7. It is agreed that the existing Customs Tariff and Excise Duties shall continue in force in British Columbia until the Railway from the Pacific Coast and the system of Railways in Canada are connected, unless the Legislature of British Columbia should sooner decide to accept the Tariff and Excise Laws of Canada. When Customs and Excise Duties are, at the time of the Union of British Columbia with Canada, leviable on any Goods Wares, or Merchandizes in British Columbia, or in the other Provinces of the Dominion, those Goods, Wares, and Merchandizes may, from and after the Union, be imported into British Columbia from the Provinces now composing the Dominion, or from either of those Provinces into British Columbia, on proof of payment of the Customs or Excise Duties leviable thereon in the Province of Exportation, and on payment of such further amount (if any) of Customs or Excise Duties as are leviable thereon in the Province of Importation. This arrangement to have no force or effect after the assimilation of the Tariff and Excise Duties of British Columbia with those of the Dominion.

8. British Columbia shall be entitled to be represented in the Senate by Three Members, and by Six Members in the House of Commons. The representation to be increased under the provision of the "British North America Act, 1867."

9. The influence of the Dominion Government will be used to secure the continued maintenance of the Naval Station at Esquimalt.

10. The provisions of the "British North America Act, 1867," shall (except those parts thereof which are in terms made, or by reasonable intendment may be held to be specially applicable to and only affect one and not the whole of the Provinces now comprising the Dominion, and except so far as the same may be varied by this Minute) be applicable to British Columbia, in the same way and to the like extent as they apply to the other Provinces of the Dominion, and as if the Colony of British Columbia had been one of the Provinces originally united by the said Act.

11. The Government of the Dominion undertake to secure the commencement simultaneously, within two years from the date of the Union, of the construction of a Railway from the Pacific towards the Rocky Mountains, and from such point as may be selected, East of the Rocky Mountains, towards the Pacific, to connect the seaboard of British Columbia with the Railway system of Canada; and further, to secure the completion of such Railway within ten years from the date of the Union.

And the Government of British Columbia agree to convey to the Dominion Government, in trust, to be appropriated in such manner as the Dominion Government may deem advisable in furtherance of the construction of the said Railway, a similar extent of Public Lands along the line of Railway throughout its entire length in British Columbia, not to exceed, however Twenty (20) Miles on each side of said line, as may be appropriated for the same purpose by the Dominion Govern-



ment from the Public Lands in the North-West Territories and the Province of Manitoba. Provided that the quantity of land which may be held under Pre-emption right or by Crown Grant within the limits of the tract of land in British Columbia to be so conveyed to the Dominion Government shall be made good to the Dominion from contiguous Public Lands; and provided further, that until the commencement, within two years as aforesaid from the date of the Union, of the construction of the said Railway, the Government of British Columbia shall not sell or alienate any further portions of the Public Lands of British Columbia in any other way than under right of Pre-emption, requiring actual residence of the Pre-emptor on the land claimed by him. In consideration of the land to be so conveyed in aid of the construction of the said Railway, the Dominion Government agree to pay to British Columbia, from the date of the Union, the sum of \$100,000 per annum, in half-yearly payments in advance.

12. The Dominion Government shall guarantee the Interest for Ten Years from the date of the completion of the works, at the rate of Five per centum per annum, on such sum, not exceeding £100,000 sterling, as may be required for the construction of a first class Graving Dock at Esquimalt.

13. The charge of the Indians, and the trusteeship and management of the lands reserved for their use and benefit, shall be assumed by the Dominion Government, and a policy as liberal as that hitherto pursued by the British Columbia Government shall be continued by the Dominion Government after the Union.

To carry out such policy, tracts of land of such extent as it has hitherto been the practice of the British Columbia Government to appropriate for that purpose, shall from time to time be conveyed by the Local Government to the Dominion Government in trust for the use and benefit of the Indians, on application of the Dominion Government; and in case of disagreement between the two Governments respecting the quantity of such tracts of land to be so granted the matter shall be referred for the decision of the Secretary of State for the Colonies.

14. The Constitution of the Executive Authority and of the Legislature of British Columbia shall, subject to the provisions of the "British North America Act, 1867," continue as existing at the time of the Union until altered under the authority of the said Act, it being at the same time understood that the Government of the Dominion will readily consent to the introduction of Responsible Government when desired by the inhabitants of British Columbia, and it being likewise understood that it is the intention of the Governor of British Columbia, under the authority of the Secretary of State for the Colonies, to amend the existing Constitution of the Legislature by providing that a majority of its Members shall be Elective.

The Union shall take effect according to the foregoing terms and conditions on such day as Her Majesty, by and with the advice of Her Most Honourable Privy Council may appoint (on addresses from the Legislature of the Colony of British Columbia, and of the Houses of Parliament of Canada, in the terms of the 146th Section of the "British North America Act, 1867,") and British Columbia may in its address specify the Electoral Districts for which the first Election of Members to serve in House of Commons shall take place.

That such Terms have proved generally acceptable to the people of this Colony;

That this Council is therefore willing to enter into Union with the Dominion of Canada upon such Terms, and humbly submit that under the circumstances it is expedient that the admission of this Colony into such Union, as aforesaid, should be effected at as early a date as may be found practicable under the provisions of the 146th Section of the "British North America Act, 1867."

We, therefore, humbly pray that Your Majesty will be graciously pleased, by and with the advice of Your Majesty's Most Honourable Privy Council, under the provisions of the 146th Section of the "British North America Act, 1867," to admit British Columbia into the Union or Dominion of Canada on the basis of the Terms and Conditions offered to this Colony by the Government of the Dominion of Canada, hereinbefore set forth; and, inasmuch as by the said Terms British Columbia is empowered in its Address to specify the Electoral Districts for which the first Election of Members to serve in the House of Commons shall take place, we humbly pray that such Electoral Districts may be declared under the Order in Council to be as follows:—

That "New Westminster District" and the "Coast District," as defined in a Public Notice issued from the Lands and Works Office on the 15th day of December,

1869, by the desire of the Governor, and purporting to be in accordance with the provisions of the 39th Clause of the "Mineral Ordinance, 1869," shall constitute one District, to be designated "New Westminster District," and return One Member;

That "Cariboo District" and "Lillooet District," as specified in the said public notice, shall constitute one District, to be designated "Cariboo District," and return One Member;

That "Yale District" and "Kootenay District," as specified in the said public notice, shall constitute one District, to be designated "Yale District," and return One Member;

That those portions of Vancouver Island known as "Victoria District," "Esquimalt District," and "Metchosin District," as defined in the Official Maps of those Districts in the Land Office, Victoria, and which Maps are designated respectively "Victoria District Official Map, 1858," "Esquimalt District Official Map, 1858," and "Metchosin District Official Map A. D. 1858," shall constitute one District, to be designated "Victoria District," and return Two Members.

And, that all the remainder of Vancouver Island, and all such Islands adjacent thereto, as were formerly Dependencies of the late Colony of Vancouver Island, shall constitute one District, to be designated "Vancouver Island District," and return One Member.

On the question of the adoption of the above address being put it was carried unanimously and Resolved accordingly.

The Hon. Mr. Trutch moved, the Hon. Mr. Nathan seconding, that the following Address be presented to His Excellency the Governor:—

*May it please Your Excellency:*

We, the Members of the Legislature, in Council assembled, having agreed to an Address to Her Most Gracious Majesty, praying that Her Majesty will be most graciously pleased, by and with the advice of Her Most Honourable Privy Council, to admit British Columbia, under the provisions of the 146th Section of the "British North America Act," into the Dominion of Canada, on the basis of the terms and conditions offered to this Colony by the Government of the Dominion of Canada, as in such Address set forth, do hereby pray that Your Excellency may be pleased to transmit such Address to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the throne.

On the question being put, it was carried *nem. con.* and Resolved accordingly.

On the motion of Mr. Humphreys, Ordered that the Address be printed for public circulation.

On the Order of the day being read for a motion standing in the name of Mr. DeCosmos,

Ordered to be postponed till Wednesday next.

Pursuant to the Order of the day, the Hon. Mr. Carrall asked leave to bring in the Lane and Kurtz Mining Company's Bill.

Ordered that leave be granted.

The Hon. Member handed in the said Bill.

Ordered to be read first time at once.

Read first time accordingly.

Ordered to be read second time on Monday next.

Pursuant to the Order of the day, Mr. Bunster moved, Mr DeCosmos seconding—

That His Excellency the Governor be respectfully requested to cause the sum of \$2,000 to be appropriated for the purpose of building a Bridge over the Nanaimo River.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Bunster moved Mr. DeCosmos seconding—

That His Excellency the Governor be respectfully requested to put in the Supplementary Estimates \$750 to build a Bridge at a suitable place across Courtney River, in Comox, so as to enable the Settlers on the south side of the River to have a ready access to the Steamboat Landing.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock on Monday.

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### Monday, the 23rd day of January, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Helmcken, Carrall, Hamley; Messrs. Nathan, DeCosmos, Nelson, Bunster, Alston, Skinner, Cornwall, Humphreys.

The Minutes of the previous Meeting read and confirmed.

Mr. Nathan presented the Petition of the Mayor and Council of Victoria.

Ordered to be received and read. Read aloud accordingly.

Ordered to be printed and lie on the table.

Mr. Humphreys gave notice of 2 motions.

Mr. DeCosmos gave notice of 3 motions.

Mr. Bunster gave notice of motion.

Pursuant to the Order of the day, Mr. Nathan moved, Mr. DeCosmos seconding—

That His Excellency the Governor be respectfully requested to place on the Estimates a sum sufficient to secure a semi-weekly Mail Service between this and Ports on the Sound.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Nathan moved—

That an Address be forwarded to the Government of Canada, representing the insufficiency of the Ten Years' Dock guarantee, and soliciting an increase of the term of years sufficient to ensure the immediate construction of the Dock.



The Hon. Mr. Carrall moved, in amendment, Mr. DeCosmos seconding—

That an humble address be presented to His Excellency the Governor, respectfully representing that doubts exist as to the sufficiency of the guarantee provided in Section 12 in the Terms of Confederation offered by the Dominion of Canada, and accepted by this Council, to ensure the construction of a Graving Dock at Esquimalt, and that this Council therefore solicit His Excellency the Governor to move the Government of the Dominion to extend the guarantee for such further period, or afford such further inducements to capitalists, as will secure the speedy completion of a work of such vital importance to the general interests not only of British Columbia but of the Dominion.

The amendment having taken the place of the original question, and having been put, it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. Cornwall seconding—

That all Flour made from Wheat raised in the Colony be exempted from Road Tolls.

Mr. DeCosmos moved, in amendment, that the following words be added, Mr. Skinner seconding—

“And that His Excellency the Governor be requested to send down a Bill to the Council amending the Law, so as to ensure the exemption of Flour so manufactured.”

Amendment put and carried.

On the question as amended being put the Council divided.

*Ayes 10, Noes 3.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on Supply Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported the Bill complete without amendments.

Ordered that the Report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Kurtz and Lane Mining Bill was read second time.

Ordered to be committed to-morrow.

The Hon. Mr. Carrall moved the suspension of Standing Orders to enable him to give a notice of motion.

Question negatived.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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**Tuesday, the 24th day of January, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Helmcken, Carrall; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Alston, Pemberton, Cornwall, Humphreys.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Carrall gave a notice of motion.

The Hon. Mr. Helmcken gave a notice of motion.

Mr. Nelson gave a notice of motion.

Pursuant to the Order of the day, the Supply Bill was read the third time, and it was Resolved that this Bill do pass and its title be "An Act to appropriate the sum of \$347,535.01 out of the General Revenue of the Colony for the contingent service of the year 1871."

Pursuant to the Order of the day, Mr. Nathan asked leave to bring in a Bill to repeal the Customs Ordinance of 1870.

Ordered that leave be granted.

The Hon. mover accordingly presented the said Bill.

Ordered to be read first time. Read first time accordingly.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, the Hon. Mr. Carrall asked leave to bring in a Bill to protect Thomson's patent Road Steamers.

Ordered that leave be granted and that the Bill be now read first time.

On the question of the second reading of the said Bill being put, the Hon. mover asked leave to withdraw the same.

Ordered that leave be granted. Bill withdrawn accordingly.

Pursuant to the Order of the day, Mr. Nathan moved, Mr. Cornwall seconding,—

That the Canadian Tariff be adopted simultaneously with Confederation.

The Hon. Mr. Helmcken moved in amendment, Mr. DeCosmos seconding,—

That this Council earnestly solicits His Excellency the Governor to move the Government of the Dominion to consent to the alteration of the existing British Columbia Tariff by the Legislature of the Colony during the present Session, to the following effect:—

The Duty on Spirits to be reduced to the rate imposed by the existing Canadian Tariff, viz., Eighty cents per gallon.

The Duty on Flour to be reduced to Seventy-five cents per barrel, and the Duty on Wheat to Ten cents per bushel.

This Council being convinced that such changes would result in mutual benefit to the whole Dominion and to British Columbia.

And that His Excellency be pleased to communicate this Resolution to the Governor General of Canada by Telegraph.

On the question being put as to the substitution of the amendment for the original question,

The Council divided.

*Ayes 8, Noes 2.*

The names, on request, being taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Helmcken,

The Hon. Mr. Carrall,

Messrs. Nathan,

Mr. Cornwall.

Humphreys,

Nelson,

DeCosmos,

Bunster,

Skinner,

Alston.

Messrs. Phillippo, Trutch and Pemberton not having voted, were counted in the affirmative, so the vote stood,—

*Ayes 11, Noes 2.*

And it was carried in the affirmative.

On the original question being put the Council again divided.

*Ayes 9, Noes 1.*

So it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for a motion standing in the name of the Member for Lillooet, motion withdrawn by leave.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. Skinner seconding,—

That an address be presented to His Excellency the Governor, praying that a sum of money be granted for the purpose of making a trail from Lytton to Lillooet.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Council went into Committee on the Kurtz and Lane Company Bill.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported some progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for to-morrow.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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**Wednesday, the 25th day of January, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmcken; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Pemberton, Alston, Humphreys.

The Minutes of the previous Meeting read and confirmed.

Mr. Humphreys spoke to a question of privilege as to reports of his speech in the *British Colonist*.

Mr. Bunster spoke to a question of privilege as to reports of his speech in the *British Colonist*.

Mr. Humphreys gave a notice of motion.

Mr. Alston gave a notice of motion.

Mr. Bunster gave a notice of motion.

Mr. Nelson gave a notice of motion.

Mr. Humphreys gave a notice of motion.

On the Order of the day being read for the motion standing in the name of Mr. DeCosmos, respecting a road in the Victoria District.

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr. Bunster seconding,—

That His Excellency the Governor be respectfully requested to lay before this Council a Return setting forth the amount of Road Tax levied, collected, and expended in each Road District in Vancouver Island in 1870.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day,—

Mr. DeCosmos asked the Hon. the Chief Commissioner of Lands and Works, Whether it is the intention of the Government to send Road Parties through the Districts on Vancouver Island this year, as in former years; and whether it is not possible to repair and improve Roads by Contract with equal advantage to the Public. The Hon. Mr. Trutch replied.

Pursuant to the Order of the day, the Hon. Mr. Carrall asked leave to bring in Loan and Investment Amendment Bill.

Ordered that leave be granted and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time on Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken asked leave to bring in Legal Professions Bill.

Ordered that leave be granted and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time on the 1st February.

Pursuant to the Order of the day, Mr. Nelson moved, Mr. Nathan seconding,—

That a respectful address be presented to His Excellency, asking that a Return of the amount of Land Pre-empted, Sold, and Leased in the different Districts throughout the Colony for the year 1870, be laid before the Council.

On the question being put it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for the second reading of the Customs Amendment Bill, Ordered to be postponed till some future day.

Pursuant to the Order of the day, the Council went into Committee on the Kurtz and Lane Mining Company's Bill.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Bill be read third time to-morrow.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### Thursday, the 26th day of January, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Helmcken; Messrs. Alston, Nathan, Nelson, DeCosmos, Bunster, Skinner, Humphreys, Cornwall.

The Minutes of the previous Meeting read and confirmed.

Mr. Humphreys gave notice of 4 motions.

Mr. Alston gave a notice of motion.

Mr. Nathan gave a notice of motion.

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr. Skinner seconding,—

That, inasmuch as a call has been issued by the Lands and Works Department for payment of all instalments due on Land Pre-empted under Vancouver Island Pre-emption Proclamations, 1861-2, requiring payment to be made by the 31st March next, and inasmuch as that time is inopportune for the Farmers to pay, and calculated in numerous instances to operate as an injury to the Settlers if payment be then enforced, a respectful address be presented to His Excellency the Governor, praying that the time for payment be postponed till some convenient period after next harvest, and that further notice be given of such postponement.

On the question being put it was carried in the affirmative and Resolved accordingly.



Pursuant to the Order of the day, Mr. Bunster moved, Mr. DeCosmos seconding,—

That a respectful address be presented to His Excellency the Governor, asking that a Bill be sent down to this House imposing a poll tax of \$50 per head per annum on all Chinamen engaged in any occupation in the Colony.

Ordered that leave be granted to withdraw the same.

Withdrawn accordingly.

Pursuant to the Order of the day, Mr. Alston asked leave to bring in Mechanics and Literary Institutes Bill.

Ordered that leave be granted and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time on Friday next.

Pursuant to the Order of the day, Mr. Humphreys asked the Attorney General about the practice of County Court Judges refusing to allow plaintiffs to serve a summons.

The Hon. Mr. Phillippo replied.

On the Order of the day being read for the third reading of the Kurtz Lane Co. Bill,

Ordered to be postponed till Tuesday.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock on Tuesday next.

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### **Tuesday, the 31st day of January, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Helmcken, Carrall; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Pemberton, Humphreys, Alston.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 4.*

A. MUSGRAVE.

The Governor has received the Resolution of the Hon. the Legislative Council, requesting him to send down a Bill to enlarge the number of Representative Members, excluding nominated Members from the Council, so as to enable a new Legislative Body and the form of administration known as Responsible Government to come into operation at the first Session of the Legislature subsequent to the Union of this Colony with the Dominion of Canada.

In compliance with this request the Governor submits for the consideration of the Council a Bill entitled "An Act to amend and alter the Constitution of this Colony."

*Government House,  
31st January, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Constitution Bill be now read a first time.

Read first time accordingly.

Ordered to be read second time on Thursday next.

A further Message, read as follows:—

*Message No. 5.*

A. MUSGRAVE.

The Governor has received the Resolution of the Honourable Legislative Council, respecting the propriety of postponing payment of the instalments due on Land pre-empted under Vancouver Island Pre-emption Proclamations, 1861-2, until some convenient period after next harvest.

The Governor regrets that he does not consider himself at liberty to comply with the suggestion of the Council. These payments are due to the Vancouver Island Crown Fund, and it is important that the accounts of this fund should be settled before the proposed Union of this Colony with the Dominion of Canada.

*Government House,  
31st January, 1871.*

The Hon. Mr. Carrall gave a notice of motion.

Mr. DeCosmos gave a notice of motion.

The Hon. Mr. Carrall spoke to a question of privilege as to certain statements in the *British Colonist*.

Pursuant to the Order of the day, Mr. Bunster moved, Mr. DeCosmos seconding,—

That a sum be placed on the Supplementary Estimates, to compensate the Postmaster at Nanaimo for his services.

On the question being put the Council divided.

*Ayes 8, Noes 3.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Nelson moved, Mr. Humphreys seconding,—

That a respectful address be presented to His Excellency the Governor, praying that an amount be placed upon the Supplementary Estimates for the conveyance of Mails, twice a week, between Victoria and New Westminster, and that His Excellency be pleased to direct that negotiations be at once entered into, either with the parties at present performing the duties, or that the performance of the work be offered to public competition.

On the question being put, it was carried *nem con.* and Resolved accordingly.

Pursuant to the Order of the day, Mr. Humphreys asked the Hon. the Chief Commissioner of Lands and Works, Whether it is the intention of the Government to at once grant leases of land for grazing purposes to the farmers and stock-raisers in the valley of the Fraser, and, also, whether it is not expedient that the Government should send down a Bill to assimilate the grazing law of New South Wales with the pre-emption laws of British Columbia.

The Hon. Mr. Trutch replied.

Pursuant to the Order of the day, Mr. Humphreys asked the Hon. the Colonial Secretary, Whether it is the intention of the Government to recommend or allow pensions or compensation to Subordinate Officers, and if so, whether such compensation or pension will be proportioned to their length of Service.

The Hon. Mr. Hankin replied.

Pursuant to the Order of the day, Mr. Humphreys asked the Hon. the Colonial Secretary, For particulars and information with reference to the alleged undue

punishment of the nine Sailors, of the Ship "Golden Age," who are at present confined in the Gaol at New Westminster.

The Hon. Mr. Hankin replied.

On the Order of the day being read for Mr. Alston to ask leave to bring in Chemists' and Druggists' Bill.

Ordered to be postponed.

Pursuant to the Order of the day, Mr. Nathan moved, the Hon. Mr. Helmcken seconding,—

That the Petition of the Mayor and Council of Victoria be considered.

On the question being put it was carried in the affirmative and Resolved accordingly.

Whereupon Mr. Nathan moved, the Hon. Mr. Helmcken seconding,—

That an humble address be presented to His Excellency the Governor, respectfully requesting that he would be pleased to send down a Bill amending the "Fire Companies' Aid Ordinance, 1869," by levying an annual tax of \$250 for the benefit of the Fire Department, on all Fire Insurance Companies doing business in Victoria.

Mr. Alston moved that \$300 be substituted for \$250.

Amendment put and carried.

On the question as amended being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Humphreys asked the Hon. the Chief Commissioner of Lands and Works, Whether the Government is disposed to favour a money assistance to parties who will undertake and guarantee the completion of extensive ditch or canal cuttings for irrigating farm land; also, for information in regard of the claimants and ownership to the surveyed land in the township of Clinton, in the district of Lillooet.

The Hon. Mr. Trutch replied.

A Message from His Excellency the Governor, read as follows—

*Message No. 6.*

A. MUSGRAVE.

The Governor has received the address of the Honourable Legislative Council, requesting that he will transmit to Her Majesty's Principal Secretary of State for the Colonies, to be laid at the foot of the throne, the Address to Her Majesty praying that Her Majesty will be graciously pleased, by and with the consent of Her Most Honourable Privy Council, to admit British Columbia, under the provisions of the 146th Section of the British North America Act, into the Union or Dominion of Canada, on the basis of the terms and conditions offered to this Colony by the Government of the Dominion of Canada.

The Governor will have much gratification in transmitting this Address for the gracious consideration of the Queen. He has already informed the Secretary of State of the decision of the Council by Telegraph, and he with pleasure takes this opportunity to congratulate the Council upon the harmonious and unanimous manner in which this important matter has been treated by them.

*Government House,  
January 31st, 1871.*

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That a Committee be appointed to consider the expediency of submitting a scheme to dyke and make available for agricultural purposes the delta of the Fraser.

On the question being put it was carried in the affirmative and Resolved accordingly.

The Hon. Mr. Speaker appointed the following gentlemen:—Messrs. DeCosmos, Humphreys, Nelson, Alston, and Skinner.

On the Order of the day being read for the second reading of the Loan and Investment Amendment Bill.

Ordered to be postponed till Tuesday next.

Pursuant to the Order of the day, the Kurtz and Lane Mining Company's Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Kurtz and Lane Mining Company's Act, 1871."

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock on Thursday.

### Thursday, the 2nd day of February, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Helmcken, Carrall, Hamley; Messrs. Nathan, Nelson, Bunster, Skinner, Humphreys.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 7.*

A. MUSGRAVE.

Referring to the Message from the Honourable Legislative Council of the 24th ultimo, with a Resolution requesting the Governor to move the Government of the Dominion to consent to the alteration of the British Columbian Tariff in certain particulars by the Legislature of the Colony, during the present Session, the Governor forwards for the information of the Council a copy of a telegram which he transmitted to Lord Lisgar upon this subject, and of the reply which he has this day received.<sup>3</sup>

*Government House,  
2nd February, 1871.*

Ordered that the enclosures be printed.

Mr. Nathan presented the Petition of certain Solicitors.

Ordered to be read. Read aloud by the Clerk.

Ordered to lie on the table.

Mr. Humphreys gave 3 notices of motion.

Mr. Nelson gave a notice of motion.

Mr. Nathan gave 2 notices of motion.

<sup>3</sup> *Ibid.*, p. 52.



Pursuant to the Order of the day, the Constitution Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported considerable progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted the first thing on the Order of the day for to-morrow.

On the Order of the day being read for the second reading of the Legal Professions Bill,

Ordered to be postponed till to-morrow.

On the Order of the day being read for the second reading of the Customs Repeal Bill,

Ordered to be postponed.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, relative to Road Steamer Bill, motion dropped.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### **Friday, the 3rd day of February, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmcken; Messrs. Nathan, Nelson, DeCosmos, Bunster, Skinner, Pemberton, Alston, Humphreys, Cornwall.

The Minutes of the previous Meeting read and confirmed.

Mr. Humphreys presented the Petition of the inhabitants of Lillooet.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

Mr. Nathan presented the petition of the Mayor and Council of Victoria.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

Mr. Cornwall gave notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Constitution Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for Monday.

Mr. Humphreys moved that this Council adjourn.

On the question being put the Council divided.

*Ayes 7, Noes 7.*

Mr. Speaker voted in the negative. Adjournment lost.

Pursuant to the Order of the day, the Mechanics Bill was read second time.

Ordered to be committed Tuesday next.

On the Order of the day being read for the motion for considering the Governor's Message Mo. 5,

Ordered to be deferred till this day week.

Pursuant to the Order of the day, Mr. Humphreys asked the Hon. the Chief Commissioner of Lands and Works, Whether it is the intention of the Government to let, by Contract, the Surveys of the Pre-emption and Grazing Claims purposed to be Surveyed during the present year, and if such letting by Contract would not be cheaper and more expedient than the present slow and expensive system.

The Hon. Mr. Trutch replied.

On the Order of the day being read for a motion standing in the name of Mr. Humphreys,

Ordered to be deferred till next week.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved the second reading of the Legal Professions Bill.

Whereupon a debate arose, which having terminated, and the question being put, the Council divided.

*Ayes 6, Noes 6.*

Which being a tie vote, the Speaker cast his vote in the negative.

So the question was negatived and the Bill thrown out.

The Hon. Mr. Carrall moved the suspension of the Standing Orders.

Ordered accordingly.

The Hon. Mr. Carrall moved the first reading of the Thomson's Patent Road Steamers Bill. Ordered accordingly.

Bill read first time.

Ordered to be read second time on Wednesday next.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock on Monday.

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### Monday, the 6th day of February, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Helmcken, Carrall, Hamley; Messrs. Nathan, Nelson, Bunster, Skinner, Humphreys, DeCosmos, Cornwall, Alston, Pemberton.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 8.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Act to exempt the Lane and Kurtz Cariboo Mining Company from the payment of Duties and Road and Bridge Tolls on certain Machinery Imported, and yet to be Imported by them, for Mining purposes."

*Government House,  
6th February, 1871.*

A further Message, read as follows:—

*Message No. 9.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Act to appropriate the sum of Three hundred and forty-seven thousand five hundred and thirty-five Dollars and One Cent, out of the General Revenue of the Colony, for the Contingent Service of the year 1871."

*Government House,  
6th February, 1871.*

The Hon. Mr. Helmcken presented the Petition of Philip Cadell.

Ordered to lie on the table.

The Hon. Mr. Helmcken further presented the Petition of certain Inhabitants of Victoria against the Thomson Road Steamer Bill.<sup>4</sup>

Ordered to be read. Read accordingly.

Ordered to be taken up in connection with the said Bill.

Mr. Humphreys gave a notice of motion.

Pursuant to the Order of the day, the Council went into Committee on the Constitution Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted, and the Bill read third time tomorrow.

Pursuant to the Order of the day, Mr. Nelson moved, Mr. Humphreys seconding,—

That whereas the Tolls levied upon certain goods and commodities passing over the Trunk Road of the Mainland portion of British Columbia bear injuriously upon the industrial interests of the Interior; and whereas the public debt incurred by the construction of the said Trunk Road will be assumed by the Dominion Government upon the Union of this Colony with Canada; be it Resolved, That an humble address be presented to His Excellency the Governor, recommending that on and after the Union of this Colony with Canada the Tolls now levied on certain goods and commodities passing over the said Trunk Road of the Mainland portion of British Columbia shall cease and determine.

Ordered that leave be granted to withdraw the motion.

Withdrawn accordingly.

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<sup>4</sup> *Ibid.*, p. 53.

Pursuant to the Order of the day, Mr. Cornwall moved, Mr. Nelson seconding,—

That an humble address be presented to His Excellency the Governor, asking for an appropriation of \$250 for the Carriage of Mails between Lytton and Nicola Lake.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Trutch, the Council adjourned till 1 o'clock to-morrow.

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### **Tuesday, the 7th day of February, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Trutch, Phillippo, Hamley, Carrall, Helmcken; Messrs. Alston, Nathan, Nelson, DeCosmos, Humphreys, Pemberton.  
The Minutes of the previous Meeting read and confirmed.

Mr. Humphreys gave a notice of motion.

The Hon. Mr. Helmcken gave a notice of motion.

On the Order of the day being read for the second reading of the Constitution Bill, Ordered to be re-committed.

The Council went again into Committee.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

Mr. Speaker resumed the Chair, the Chairman reported the Bill to have been slightly amended and to be now complete.

Ordered that the Report be adopted, and the Bill read third time at once.  
Bill read third time accordingly.

Resolved, that this Bill do pass, and its title be "The Constitution Act, 1871."

On the Order of the day being read for the second reading of the Loan and Investment Amendment Bill.

Ordered to be postponed till Wednesday week.

Pursuant to the Order of the day, the Council went into Committee on the Mechanics' Institute Bill.

Mr. Speaker left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with certain amendments.

Ordered that the Report be adopted and the Bill read third time on Thursday.



Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That a respectful address be presented to His Excellency the Governor, praying for an appropriation of the sum of \$250 for the purpose of conveying the Mails from Clinton to Canoe Creek.

On the question being put it was carried in the affirmative and Resolved accordingly.

Then, on the motion of the Hon. Mr. Phillippo, the Council adjourned till 1 o'clock on Thursday next.

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### Thursday, the 9th day of February, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. Cornwall, Nathan, Nelson, DeCosmos, Bunster, Skinner, Pemberton, Humphreys, Alston.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 10.*

A. MUSGRAVE.

The Governor forwards herewith a Return of the amount of Land Pre-empted, Sold, and Leased in the different Districts throughout the Colony in 1870, as called for by the Resolution of the Honourable Legislative Council of the 25th January, 1871.<sup>5</sup>

*Government House,  
7th February, 1871.*

Ordered that the Return be printed.

Mr. DeCosmos presented the Petition of Messrs. Harper and Irving.

Ordered to be read. Read accordingly.

Ordered to lie on the table.

On the Order of the day being read for consideration of the Governor's Message No. 5,

Ordered to be postponed.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That a respectful address be presented to His Excellency the Governor, praying for a Return of all moneys expended and collected on the Douglas-Alexandria and Yale-Clinton-Cariboo Waggon Roads from the beginning and completion of the said Waggon Roads, together with the amount of indebtedness, and the interest per centum paid and to be paid on said indebtedness appertaining to said Waggon Roads.

Question put and carried.

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<sup>5</sup> *Ibid.*, p. 54.

The Council, pursuant to the Order of the day, having taken into consideration the adoption of the Canadian Tariff,

Mr. Nathan moved, Mr. Cornwall seconding,—

That an humble address be presented to His Excellency the Governor, respectfully requesting him to acquaint the Government of the Dominion of Canada, that it is the wish of this Council that the Canadian Tariff and Excise Laws should embrace British Columbia simultaneously with the admission of this Colony into the Dominion, or as soon thereafter as practicable.

The Hon. Mr. Helmcken moved, Mr. DeCosmos seconding,—

That whereas in reply to a Resolution passed by this Council and transmitted to the Government of Canada, a telegraph message was received from the Governor General of Canada, Lord Lisgar, stating that “after acceptance of the Terms of “Union by Canada, Parliament may in its discretion modify the British Columbia “Tariff on the request of British Columbia,” this Council Resolves that His Excellency the Governor will be pleased to communicate to Lord Lisgar the desire of this Council that the Government of Canada will be pleased to lay before the Parliament of Canada the proposition that the Tariff of British Columbia may be altered as follows:—That the duty on spirits be reduced to the Canadian standard, and that the duty upon wheat be reduced to ten cents per bushel, and that upon flour to 75 cents per barrel. That this Council ask this, feeling that it will prevent a great deal of harm to British Columbia, and thus do much good to the Dominion at large.

That His Excellency will be pleased to instruct the Hon. Mr. Trutch to give the Government of Canada the reasons for the foregoing; and that the Hon. Mr. Trutch be empowered to take such steps for the purpose as, upon consultation with the Government of Canada, he may deem necessary.

The amendment having taken place of the original motion, and being put, the Council divided.

*Ayes 7, Noes 4.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Helmcken,	The Hon. Mr. Carrall,
Phillippo,	Messrs. Nathan,
Messrs. Nelson,	Cornwall,
Humphreys,	Alston.
DeCosmos,	
Skinner,	
Bunster.	

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Nathan moved, Mr. Nelson seconding,—

That an address be presented to His Excellency the Governor, praying that a Return be furnished the Council showing the Exports from British Columbia for the years 1867, 1868, 1869, and 1870, specifying articles, quantities, and values, and Countries to which Exported; also a Return of Bonded Goods shipped to sea-going Ships, or supplied free of Duty to Her Majesty's Navy,

specifying articles, quantities, and values; also a Return of all Goods in Bond on January 31st, 1871, specifying articles, quantities, and values.

Question put and carried.

Pursuant to the Order of the day, the Customs Amendment Bill was read second time.

Ordered to be brought up for committal at some day to be named.

On the Order of the day being read for the second reading of the Thomson Road Steamer Bill, a debate arose, which having terminated,

It was ordered that the Bill be brought up for second reading on Monday next.

Then, on the motion of Mr. Nelson, the Council adjourned till 1 o'clock on Friday next.

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### Friday, the 10th day of February, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Carrall, Helmcken; Messrs. Nathan, Nelson, DeCosmos, Bunster, Alston, Humphreys.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows.—

*Message No. 11.*

A. MUSGRAVE.

The Governor forwards herewith to the Honourable Legislative Council the Supplementary Estimates for the year 1870.

The amount of Expenditures under these Estimates requiring to be covered by vote is \$45,969.07, which sum includes unpaid arrears of the previous year.

There is no item in this expenditure to which the Governor deems it necessary to call the particular attention of the Council.

Full details are given as to each item, and it will be found that the expenditure consists either of payments made on services for which the yearly vote was slightly under estimated, or for unestimated services (such as the expenses of the Delegates to Canada) which have already been in the knowledge and met with the approval of the Legislature.

*Government House,  
February 10th, 1871.*

Ordered that the Estimates be printed and considered in Committee of Supply on Monday next.

Mr. Nathan gave a notice of motion.

The Hon. Mr. Helmcken gave a notice of motion.

Mr. Humphreys spoke to a question of privilege in reference to reports of his speeches in the *British Colonist*.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That a respectful address be presented to His Excellency the Governor, praying that compensation be made to all of the Postmasters in the Colony who now are receiving no recompense.

Question put and carried.

Pursuant to the Order of the day, the Mechanics' Bill was read third time, and it was Resolved that this Bill do pass, and its title be "The Literary Societies' Act, 1871."

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, Mr. Nathan seconding,—

That whereas by the 11th Section of the proposed Terms of Union of this Colony with the Dominion of Canada it is provided that a Railway shall be constructed from the Pacific towards the Rocky Mountains, and from the Canadian system of Railways towards the seaboard of British Columbia; and whereas the locality upon the Pacific where such Railway shall have the starting point or principal station has been left an open question, and remains yet to be fixed upon after exhaustive surveys shall have been made; and whereas the Seat of Government of this Colony is at Victoria, the largest, most populous, and chief commercial City of British Columbia, contiguous to which is the Harbour of Esquimalt, the Station and Dock Yard of Her Majesty's Naval Forces on the North Pacific; and whereas it would materially conduce to the business and success of the Railway and the welfare of the Dominion at large, and meet the requirements of Her Majesty's Forces, the defence of the Country, and the demands of Commerce, were Esquimalt connected with the Railway.

This Council is of opinion that it is advisable that Victoria and Esquimalt should be connected with the initial point or principal station of such Railway upon the Pacific, either by the Railway being continued thereto, or, should that be found to be impracticable, then in that case that the connection should be maintained by Steamboats, or partly by a Railway and partly by Steamboats, thus making the Railway the means of connecting the most Eastern and most Western portions of the Dominion, and be really and truly a grand national undertaking and highway, uniting all the interests and all the people of and between the Pacific and Atlantic shores into one harmonious whole.

This Council would therefore respectfully urge upon the Government of Canada, the advisability of their making provision to connect Victoria and Esquimalt with the proposed Railway from the Pacific towards the Rocky Mountains, in case neither of those places shall be made the starting point or principal station of such Railway.

The Council respectfully requests the Governor to transmit this Resolution to the Government of the Dominion of Canada.

On the question being put the Council divided.

*Ayes 8, Noes 2.*



The names, on request, being taken down as follows:—

*Ayes.*

*Noes.*

The Hon. Messrs. Phillippo,  
Helmcken,  
Carrall,  
Messrs. Alston,  
Nathan,  
DeCosmos,  
Bunster,  
Skinner.

The Hon. Mr. Hamley,  
Mr. Nelson.

So it was carried in the affirmative and Resolved accordingly.

Mr. Nathan moved suspension of Standing Orders.

Suspended accordingly.

Mr. Nathan moved a Resolution respecting the Customs Bill of 1870 being repealed by permission of the Dominion Government.

Motion subsequently withdrawn.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 1 o'clock on Tuesday.

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### **Tuesday, the 14th day of February, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Carrall, Helmcken; Messrs. Nathan, Nelson, DeCosmos, Bunster, Alston, Humphreys, Pemberton, Cornwall, Skinner.

The Minutes of the previous Meeting read and confirmed.

The Hon. Mr. Carrall presented the Petition of Inhabitants of British Columbia in favor of Thomson's Patent Road Steamers.

Ordered to be read.

Read accordingly. Ordered to lie on the table.

Mr. Cornwall presented the Petition of the Inhabitants of Yale against the Road Steamers.

Ordered to lie on the table.

Mr. DeCosmos presented the Petition of the Merchants of Victoria in favor of a general Bill for Traction Engines.

Ordered to be read and to lie on the table.

Mr. DeCosmos presented the Petition of Messrs. Lane, Kurtz, and Harper for permission to run Road Steamers.

Ordered to be read and to lie on the table.

The Hon. Mr. Carrall gave a notice of motion.

Pursuant to the Order of the day, the adjourned debate on the second reading of the Thomson Patent Road Steamer Bill was resumed.

Mr. Bunster moved, in amendment, Mr. Humphreys seconding,—

That an Act be brought in to allow all persons, under certain restrictions, to put Road Steamers on the Yale and Cariboo Road.

Motion withdrawn by leave.

Bill read second time. Ordered to be committed next meeting of Council.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, the Hon. Mr. Carrall seconding,—

That, whereas, the Island of San Juan bears important relations to Canada and British Columbia; and, whereas, a Joint Commission has been appointed by Her Majesty's Government, and by the Government of the United States, to settle all existing International difficulties.

Resolved, That an humble address be presented to His Excellency the Governor, respectfully requesting that His Excellency will be pleased to represent to Her Majesty's Government, and also to the Canadian Government, the great importance of the Island of San Juan to the Dominion of Canada, as well as the undoubted claims of the Crown to the same, and the desirability of settling the Boundaries of the possessions of the United States North of British Columbia; and that the question of Fisheries in the Pacific be considered at the same time.

On the question as amended being put it was carried unanimously and Resolved accordingly.

A Message from His Excellency the Governor, read as follows:—

*Message No. 12.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Act to amend and alter the Constitution of this Colony."

*Government House,  
February 13th, 1871.*

A further Message, read as follows:—

*Message No. 13.*

A. MUSGRAVE.

Referring to the Resolution of the Honourable Legislative Council, of the 23rd instant, respecting the exemption from Road Tolls of Flour made from wheat grown in the Colony, the Governor submits for the consideration of the Council a Bill entitled "An Act to amend 'The Tolls exemption Ordinance, 1865.'"

*Government House,  
14th February, 1871.*

On the motion of Mr. Humphreys,—

Ordered that the Tolls Exemption Ordinance be now read first time.

Read first time accordingly.

Ordered to be read first time at next meeting of Council.

A further Message read as follows,—

*Message No. 14.*

A. MUSGRAVE.

The Governor submits, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act relating to proceedings under the Tax Sale Repeal Ordinance."

*Government House,  
14th February, 1871.*

On the motion of the Hon. the Attorney General,—

Ordered that the Tax Sale Commission Bill be now read first time.

Read first time accordingly.

Ordered to be read second time next meeting of Council.

Pursuant to the Order of the day, the Council went into Committee of Supply.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported that the Committee had considered the Supplementary Estimates and handed in the following Resolution for the adoption of the Council:—

Resolved, That the following Supplementary Supplies be voted for the service of the year 1870:—

Revenue Services .....	\$ 570 00
Administration of Justice .....	1,650 00
Charitable Allowances .....	560 00
Police and Gaols .....	4,853 00
Transport .....	4,398 00
Works and Buildings .....	7,278 00
Roads, Streets, and Bridges .....	4,000 00
Miscellaneous Services .....	17,440 00
Government Vessels .....	1,750 00
Light Houses .....	551 00
Deposits .....	1,919 07
Savings Banks Account .....	1000 00

On the question being put it was carried in the affirmative and Resolved accordingly.

Mr. Nathan moved the suspension of the Standing Orders.

Ordered to be suspended.

Mr. Nathan moved the second reading of the Customs Repeal Bill.

Ordered to be read second time.

Read second time accordingly.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill be now read third time.  
Bill read third time accordingly.

Resolved, that this Bill do pass, and its title be "The Customs Repeal Act, 1871."

Mr. Nathan again moved the suspension of the Standing Orders.

Ordered to be suspended.

Mr. Nathan asked leave to bring in Fire Companies' Aid Bill.

Ordered that leave be granted and the Bill now read first time.

Read first time accordingly.

Ordered to be read second time at next meeting of Council.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 1 o'clock this day week.

## Tuesday, the 21st day of February, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Carrall, Helmcken; Messrs. Alston, Nathan, Nelson, DeCosmos, Humphreys, Pemberton, Bunster, Cornwall, Skinner.

The Minutes of the previous Meeting read and confirmed.

Peter O'Reilly, Esq., was then introduced into the Council Chamber, to whom the Speaker administered the oath of allegiance, and having subscribed to the same, the Member took his seat.

A Message from His Excellency the Governor, read as follows:—

*Message No. 15.*

A. MUSGRAVE.

The Governor forwards herewith a Return to an Address of the Honourable Legislative Council of the 25th ultimo, of the amounts levied, collected, and expended on each Road District in Vancouver Island in 1870.<sup>6</sup>

*Government House,  
14th February, 1871.*

Ordered that the Return be printed.

A further Message read as follows,—

*Message No. 16.*

A. MUSGRAVE.

The Governor, in accordance with the request contained in the Resolution of the Legislative Council of the 9th instant, forwards herewith Returns showing the Exports from British Columbia for the years 1867, 1868, 1869, and 1870, specifying articles, quantities, and values, and Countries to which Exported; also a Return of Bonded Goods shipped to sea-going Ships or supplied, free of Duty, to Her Majesty's Navy, specifying articles, quantities, and values; also a Return of all Goods in Bond on January 31st, 1871, specifying articles, quantities, and values.<sup>7</sup>

*Government House,  
21st February, 1871.*

Ordered that the Return be printed.

A further Message read as follows:—

*Message No. 17.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act granting a Supplemental Supply of

<sup>6</sup> *Ibid.*, p. 54.

<sup>7</sup> *Ibid.*, pp. 55–58.



Forty-five thousand nine hundred and sixty-nine Dollars and Seven Cents, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the contingent service of the year 1870.

*Government House,  
21st February, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Bill be now read a first time.

Read first time accordingly.

Ordered to be read second time next meeting of Council.

A further Message read as follows;—

*Message No. 18.*

A. MUSGRAVE.

The Governor submits, for the consideration of the Legislative Council, a Bill entitled "An Act to amend the Law as to the qualification of Voters and of Elected Members for the Legislative Council, and to provide for the Registration of Persons entitled to vote at Elections of such Members."

*Government House,  
21st February, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Bill be now read first time.

Read first time accordingly.

Ordered to be read second time next meeting of Council.

The Hon. Mr. Helmcken gave a notice of motion.

Mr. Humphreys gave 3 notices of motion.

On the Order of the day being read for the second reading of the Loan Investment Bill,

On the motion of the Hon. Mr. Carrall, Ordered that the second reading be postponed.

Pursuant to the Order of the day, Mr. Nathan moved,—

That the Petition of the Mayor and Council of Victoria be considered.

The Council considered the same accordingly.

Mr. Nathan moved, Mr. Alston seconding,—

That a Select Committee be appointed to enquire into the merits of the Petition of the Mayor and Council of Victoria, respecting Education in British Columbia.

On the question being put the Council divided.

*Ayes 6, Noes 8.*

The Names on request, being taken down as follows:—

Messrs: Nathan,	The Hon. Messrs. Helmcken,
Humphreys,	Phillippo,
DeCosmos,	Carrall,
Bunster,	Hamley,
Skinner,	Messrs. Nelson,
Alston.	Cornwall,
	Pemberton,
	O'Reilly.

So it passed in the negative and the Resolution was lost.

On the Order of the day being read for a motion standing in the name of the Hon. Mr. Carrall, for a grazing Tax,  
Ordered to be postponed.

Pursuant to the Order of the day, the Council went into Committee on the Road Steamer Bill.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

Mr. Speaker resumed the Chair.

The Chairman reported progress made with the Bill, and asked leave to sit again.

Ordered that leave be granted for next sitting of Council, and that the report of the Committee be adopted.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock on Thursday.

### Thursday, the 23rd day of February, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Helmcken, Carrall, Hamley; Messrs. O'Reilly, Nathan, Nelson, Bunster, Skinner, Humphreys, DeCosmos, Alston, Pemberton.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 19.*

A. MUSGRAVE.

With reference to a Resolution of the Legislative Council of the 9th instant, calling for a Return of all moneys collected and expended on the Douglas-Alexandria and Yale-Clinton-Cariboo Waggon Roads, the Governor forwards herewith copy of a letter from the Auditor General, pointing out that the time and labour which the preparation of the Return in question would involve, preclude its being effected for two or three months to come.

*Government House,  
21st February, 1871.*

A further Message read as follows:—

*Message No. 20.*

A. MUSGRAVE.

The Governor submits, for the consideration of the Honourable Legislative Council, that the words "Literary Associations" used throughout the Bill entitled "An Act respecting Literary Associations and Mechanics Institutes" are somewhat indefinite, and recommends as an amendment, that the words "Literary Societies and Mechanics' Institutes" should be substituted.

*Government House,  
23rd February, 1871.*

The Hon. the Attorney General moved,—

That the Council go into Committee to consider the alteration in question.

Ordered accordingly.

The Council went into Committee.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the following Resolution for the adoption of the Council:—

That the Governor be acquainted that this Council concurs in the amendments recommended by the Governor to the Mechanics' Institutes Bill.

Question put and carried.

Mr. Humphreys presented the Petition of William Henry Kay.<sup>8</sup>

Ordered to be read. Read accordingly.

Ordered to lie on the table.

Pursuant to the Order of the day, the Supplementary Supply Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete without amendments.

Ordered to be read third time at once.

Read third time accordingly.

And it was Resolved, That this Bill do pass, and its title be "An Act granting a Supplementary Supply of \$45,969.07, out of the General Revenue of the Colony of British Columbia and its Dependencies, for the Contingent Service of the year 1870."

Pursuant to the Order of the day, the Registration of Voters Bill was read second time.

Ordered to be committed on Tuesday next.

Pursuant to the Order of the day, the Hon. Mr. Helmcken moved, Mr. Humphreys, seconding,—

That, whereas, the Waggon Road viâ Fraser River is ill adapted to the purpose of driving Cattle from the interior of the Country to the Coast; and, whereas, it is all but certain that lines very suitable for the purpose exist from Lillooet to Howe Sound, and probably Burrard Inlet, and from the Chilcoten Plains to the Cardero Channel; and, whereas, it is desirable at the present time, for various purposes, to obtain information of these routes from the Interior to the Coast.

Resolved, That His Excellency the Governor be humbly requested to cause a reconnoissance or exploration of the said lines to be made, and if found suitable, that His Excellency will cause a Cattle trail to be constructed from the Interior to Howe Sound, Burrard Inlet, or such other point as may be found most expedient and suitable; this Council being further of opinion that after this Colony has been united to Canada there will be sufficient means disposable to meet the comparatively small outlay required for the above purpose.

<sup>8</sup> *Ibid.*, pp. 58–59.

On the question being put the Council divided.

*Ayes 8, Noes 3.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Humphreys asked the Attorney General what Bonds, if any, are given by the Sheriff and Deputy Sheriffs' of British Columbia.

The Hon. Mr. Phillippo replied.

Pursuant to the Order of the day, the Tolls Exemption Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete without amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Read third time accordingly.

And it was Resolved, That this Bill do pass and its title be "The Tolls Exemption Ordinance, 1865, Amendment Act."

Pursuant to the Order of the day, the Tax Sale Repeal Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with slight amendments.

Ordered that the Report be adopted, and the Bill read third time at once.

Read third time accordingly.

And it was Resolved, That this Bill do pass, and its title be "The Tax Sale Repeal Ordinance, 1867, Amendment Act."

Pursuant to the Order of the day, the Fire Bill was read second time.

Ordered to be committed next meeting of the Council.

Pursuant to the Order of the day, the Council went again into Committee on the Road Steamer Bill.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported that he had been instructed to obtain a decision from the Speaker on the following point of order:—If in Committee the Chairman be entitled to an original as well as a casting vote?

The Speaker decided that the Chairman of a Committee of the whole Council was only entitled to a casting vote.

Mr. Speaker again left the Chair.



Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the report be adopted and the Bill read third time on Tuesday next.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 1 o'clock on Tuesday next.

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## Tuesday, the 28th day of February, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. Cornwall, Nathan, Nelson, DeCosmos, Bunster, Skinner, Pemberton, Humphreys, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 21.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Act respecting Literary Societies and Mechanics Institutes."

*Government House,  
24th February, 1871.*

A further Message read as follows:—

*Message No. 22.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to two Bills entitled respectively "An Act granting a Supplemental Supply of \$45,969.07 out of the General Revenue of the Colony of British Columbia and its Dependencies for the Contingent Service of the year 1870," and "An Act to amend 'The Tolls Exemption Ordinance, 1865.'"

*Government House,  
24th February, 1871.*

A further Message read as follows:—

*Message No. 23.*

A. MUSGRAVE.

The Governor has received for assent a Bill passed by the Legislative Council, entitled "An Act to repeal an Ordinance to create a further Duty of Customs for the Public Service. The Governor is advised that should the Bill in question become Law some doubt might be thrown on the legality of collecting the Customs Duties on Spirits levied under the "Customs Ordinance, 1867," he therefore forwards for the consideration of the Honourable Council a Bill amended to suit the circumstances of the case.

*Government House,  
24th February, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Bill be now read a first time.

Read first time accordingly.

Ordered to be read second time next meeting of Council.

A further Message, read as follows:—

*Message No. 24.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a copy of a letter he has received from the Mayor and Council of Victoria, praying that the Duties of Customs on certain hose pipe imported from England for the use of the Victoria Fire Department may be remitted.

*Government House,  
February 27th, 1871.*

Mr. Humphreys gave 2 notices of motion.

On the Order of the day being read for the third reading of the Thompson Road Steamer Bill,

Mr. Humphreys moved that the Bill be recommitted, and that the Standing Orders be suspended.

Motion negatived.

Ordered that the Bill be read third time, and it was Resolved that this Bill do pass and its title be "The British Columbia Patent Road Steamers Act, 1871."

Pursuant to the Order of the day, the Council went into Committee on the Registration of Voters Bill.

Mr. Speaker left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

On the Speaker resuming the Chair, the Chairman reported certain progress made with the Bill, and asked leave to sit again.

Ordered that the report be adopted, and leave granted for to-morrow.

Then, on the motion of Mr. Humphreys, the Council adjourned till 1 o'clock to-morrow.

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### Wednesday, the 1st day of March, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Helmcken, Carrall, Hamley; Messrs. O'Reilly, Nathan, Nelson, Bunster, Skinner, Humphreys, DeCosmos, Pemberton.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Customs Amendment Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with an amendment.

Ordered that the Report be adopted and the Bill be now read third time.

Bill read third time accordingly.

Resolved, that this Bill do pass, and its title be "The Customs Repeal Act, 1871."

Pursuant to the Order of the day, the Council went into Committee on the Fire Companies' Aid Bill.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with some slight amendments.

Ordered that the report be adopted, and the Bill read third time to-morrow.

Pursuant to the Order of the day, the Council went again into Committee on the Registration of Voters Bill.

Mr. Speaker left the Chair.

Hon. Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported further progress made with the Bill, and asked leave to sit again.

Ordered that the report be adopted, and leave granted for to-morrow.

Then, on the motion of Mr. Skinner, the Council adjourned till 1 o'clock to-morrow.

### Thursday, the 2nd day of March, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken; Messrs. Skinner, Nathan, Nelson, DeCosmos, Bunster, Humphreys, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. Bunster seconding,—

That an humble address be presented to His Excellency the Governor, praying that he may be pleased to send down a Bill to allow all Newspapers printed and published in the Colony to be forwarded through the Post Office free.

Motion withdrawn by leave.

A Message from His Excellency the Governor, read as follows:—

*Message No. 25.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented on behalf of Her Majesty, to a Bill entitled "An Act relating to proceedings under the 'Tax Sale Repeal Ordinance, 1867.'"

*Government House,  
2nd March, 1871.*

A further Message read as follows,—

*Message No. 26.*

A. MUSGRAVE.

The Governor forwards, for the consideration of the Legislative Council, a Bill entitled "An Act to enlarge the time fixed by the "Road Amendment Ordinance,

1870," for the sitting of the Court of Appeal constituted under the said Ordinance, during the present year.

*Government House,  
1st March, 1871.*

The Hon. the Attorney General moved that the Bill be now read first time.

Ordered accordingly, and Bill read first time.

Ordered that the Standing Orders be suspended to allow the Bill to pass through all its stages in the present sitting.

Bill read second time.

The Council went into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete without amendment.

Ordered that the Report be adopted and the Bill read third time.

Bill read third time, and it was Resolved that this Bill do pass and its title be "The Road Appellate Court Extension Act, 1871."

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That His Excellency the Governor be respectfully acquainted that in the opinion of this Council it is desirable that gentlemen skilled in the knowledge of the Law should hold and exercise the office of County Court Judges as soon as possible after Confederation is consummated with the Dominion of Canada.

On the question being put the Council divided.

*Ayes 5, Noes 4.*

The names, on request, were taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nelson,	The Hon. Messrs. Helmcken,
Nathan,	Phillippo,
DeCosmos	Hamley,
Humphreys,	Mr. Bunster.
Skinner.	

So it was carried in the affirmative and Resolved accordingly.

On the Order of the day being read for the consideration of a Petition from Lillooet, Ordered to be postponed.

On the Order of the day being read for the third reading of the Fire Companies' Aid Bill,

Ordered to be recommitted.

Council went into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported an alteration of some words to the Bill.

Ordered that the Report be adopted and the Bill now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be the "Fire Companies' Aid Amendment Act, 1871."



Pursuant to the Order of the day, the Council went into Committee on the Registration of Voters Bill.

Mr. Speaker left the Chair.

Hon. Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

On the question being put as to the adoption of the Report,

The Hon. Mr. Carrall moved, the Hon. Mr. Helmcken seconding,—

That the Bill be recommitted for the purpose of adding new matter to Clause 1.

A question having arisen as to the nature of the amendments proposed, the Hon. Mr. Carrall handed in the following,—

After the word "Election" in the sixth line add the words "and shall not possess an Estate of Freehold free from all incumbrances, and situate in British Columbia, of the value of Fifteen Hundred Dollars, or Personal Property of the value of Two Thousand Dollars."

The same was decided by Mr. Speaker to be in the nature of new and supplementary matter.

Mr. Humphreys moved the Council do now adjourn.

On the question being put the Council divided.

*Ayes 5, Noes 7.*

So the motion to adjourn was lost.

On the question of the recommittal being put the Council divided.

*Ayes 6, Noes 6.*

Which being a tie vote the Speaker was called upon to give a casting vote, and cast his vote with the Ayes.

So the question was carried, and the Council went into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported progress, and asked leave to sit again.

Ordered that the report be adopted, and leave granted for next meeting of Council.

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock on Tuesday next.

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### **Tuesday, the 7th day of March, 1871.**

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Phillippo, Hamley, Carrall; Messrs. Nathan, Cornwall, DeCosmos, Bunster, Skinner, Pemberton, Humphreys, Nelson, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 27.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to correct an error in the 'Courts Merger Ordinance, 1870.'"

*Government House,  
6th March, 1871.*

The Hon. the Attorney General moved the first reading of the said Bill.

Bill read first time accordingly.

Ordered to be read second time on Thursday next.

A further Message read as follows:—

*Message No. 28.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to regulate Elections of Members of the Legislature of this Colony."

*Government House,  
6th March, 1871.*

On the motion of the Hon. the Attorney General, the Bill was read first time.

Ordered to be read second time on Thursday next.

Mr. Humphreys gave 3 notices of motion.

Mr. Alston gave a notice of motion (per Mr. Cornwall.)

Mr. Nathan gave a notice of motion.

Mr. Bunster gave a notice of motion.

On motion of Mr. Nathan, Standing Orders suspended.

Mr. Nathan moved, Mr. DeCosmos seconding,—

That the Governor be respectfully requested to remit the Duties upon the Fire Hose imported for the use of the Victoria Fire Department.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. Skinner seconding,—

That a respectful address be presented to the Governor, praying that he may be pleased to enquire into the necessity of the Sheriff and Deputy Sheriffs of British Columbia giving indemnity Bonds or Sureties.

Question put and carried.

On the Order of the day being read for a motion standing in Mr. Humphrey's name,  
Ordered that the same be postponed.

Pursuant to the Order of the day, the Council went into Committee on the Registration of Voters' Bill.

Mr. Speaker left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Bill read third time, and it was Resolved that this Bill do pass and its title be  
"The Qualification and Registration of Voters' Act, 1871."

Then, on the motion of the Hon. Mr. Carrall, the Council adjourned till 1 o'clock  
on Thursday next.

### Thursday, the 9th day of March, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken; Messrs.  
O'Reilly, Nathan, DeCosmos, Bunster, Humphreys, Alston, Pemberton, Corn-  
wall.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 29.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented on behalf  
of Her Majesty, to Bills entitled respectively—

"The Road Appellate Court Extension Act, 1871,"

"The Fire Companies' Aid Amendment Act, 1871,"

"The Customs Repeal Act, 1871,"

"The British Columbia Patent Road Steamers Act, 1871."

*Government House,*

*8th March, 1871.*

On the Order of the day being read for the Deputy Registrar of the Supreme Court  
Salary Bill,

And the question being put the Council divided.

*Ayes 2, Noes 7.*

So the question was lost, and the second reading negatived.

Pursuant to the Order of the day, the Election Regulation Bill was read second time.  
Ordered to be committed later in the day.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos second-  
ing,—

That a respectful address be presented to the Governor, praying that His  
Excellency may be pleased to send down a Bill for the prevention of Bulls and  
Stallions running at large during certain months of the year.

Resolution put and carried.

Pursuant to the Order of the day, Mr. Humphreys, moved, Mr. DeCosmos second-  
ing,—

That the Petition of certain residents of Lillooet be referred to the Execu-  
tive.<sup>9</sup>

Question was put and carried.

<sup>9</sup> *Ibid.*, p. 60.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That the Petition of W. H. Kay be referred to the Executive.

Question put and carried.

Pursuant to the Order of the day, Mr. Alston asked leave to bring in Telegraph Regulation Bill.

Ordered that leave be granted.

The Bill was read first time accordingly.

Ordered to be read second time on Tuesday next.

Pursuant to the Order of the day, Mr. Bunster moved the following Resolution:—

That His Excellency the Governor be respectfully requested to send down a Bill to allow all Road Steamers manufactured in the Colony, to run on all the Roads in British Columbia, without giving Bonds or paying Messrs. Beedy and Barnard any sum for strengthening Bridges.

Mr. Speaker ruled that the same was out of order.

The mover then withdrew all words after "Columbia."

On the question being put, as amended, the Council divided.

*Ayes 4, Noes 4.*

Which being a tie vote, the Speaker cast his vote in the negative and the question was lost.

Pursuant to the Order of the day, the Council went into Committee on the Election Regulation Bill.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported considerable progress made, and asked leave to sit again.

Ordered that the Report be adopted and leave granted for to-morrow.

Then, on the motion of Mr. Humphreys, the Council adjourned till 1 o'clock to-morrow.

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### Friday, the 10th day of March, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Helmcken, Hamley; Messrs. O'Reilly, Nathan, Nelson, Bunster, Humphreys, DeCosmos, Cornwall, Alston.

The Minutes of the previous Meeting read and confirmed.

The Hon. the Attorney General moved that the Deputy Registrar's Salary Act be now read second time.

Mr. Nathan moved, in amendment, that the Bill be read second time this day six months.



Whereupon the Council divided.

*Ayes 9, Noes 1.*

The names, on request, having been taken down by the Clerk as follows:—

*Ayes.*

*Noes.*

Messrs O'Reilly,  
Nathan,  
Cornwall.

The Hon. Mr. Hamley.

So the amendment was carried.

Messrs. Phillippo, Helmcken, Nelson, Humphreys, DeCosmos, and Bunster not having voted, were counted in the affirmative.

Pursuant to the Order of the day, the Council went into Committee on the Election Regulation Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill be now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act to regulate Elections of Members of the Legislature of this Colony."

A Message from His Excellency the Governor, read as follows:—

*Message No. 30.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to prevent Bribery, Treating, and Undue Influence at Elections of Members of the Legislature."

*Government House,  
10th March, 1871.*

The Hon. the Attorney General moved that this Bill be now read first time.

Bill read first time accordingly.

Ordered to be read second time on Tuesday next.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 1 o'clock on Tuesday next.

## Tuesday, the 14th day of March, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken; Messrs. O'Reilly, Alston, Nathan, Nelson, DeCosmos, Humphreys, Pemberton, Bunster, Cornwall.

The Minutes of the previous Meeting read and confirmed.

Mr. DeCosmos gave 2 notices of motion.

Mr. Nathan gave a notice of motion.

Mr. Bunster gave a notice of motion.

On the Order of the day being read for the second reading of the Telegraph Regulation Bill.

Ordered to be postponed till Friday.

Pursuant to the Order of the day, Mr. Nathan moved,—

That His Excellency the Governor be respectfully requested to send copies of correspondence between James Lowe and J. D. Pemberton, late Surveyor General of the Colony of Vancouver Island, and with the Chief Commissioner of Lands and Works of British Columbia, as well as the public notice referred to in Mr. Pemberton's letter; also the after correspondence between Messrs. Drake, Jackson, and Aikman, and the Chief Commissioner of Lands and Works, and the Hon. the Colonial Secretary, in connection with a claim for a Land Warrant.

Motion subsequently withdrawn by leave.

Pursuant to the Order of the day, Mr. Humphreys moved, Mr. DeCosmos seconding,—

That all the votes and names for and against all the amendments to Section 3 in the Registration of Voters Bill be printed for the House.

On the question being put the Council divided.

*Ayes 5, Noes 6.*

The names, on request, were taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nelson,	The Hon. Messrs. Helmcken,
DeCosmos,	Phillippo,
Humphreys,	Hamley,
Bunster.	Messrs. Nathan,
	O'Reilly,
	Pemberton.

Mr. Alston not having voted was counted with the Ayes.

So the motion was lost.

Pursuant to the Order of the day, the Bribery Bill was read second time.

The Council went into Committee of the said Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with certain amendments.

Ordered that the Report be adopted and the Bill be now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act to prevent Bribery, Treating, and Undue Influence at Elections of Members of the Legislature."

A Message from His Excellency the Governor, read as follows:—

*Message No. 31.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to provide for a permanent Civil List."

*Government House,*

*14th March, 1871.*

The Hon. the Attorney General moved that this Bill be now read first time.  
Bill read first time accordingly.  
Ordered to be read second time on Friday next.

The Hon. the Attorney General introduced the Contested Elections Bill.  
Ordered to be read first time at once.  
Read first time accordingly.  
Ordered to be read second time on Friday next.

Then, on the motion of Mr. Nathan, the Council adjourned till 1 o'clock on Friday next.

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### Friday, the 17th day of March, 1871.

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The Council met at 1 o'clock, pursuant to adjournment.  
The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. Alston, Nathan, Nelson, DeCosmos, Humphreys, Pemberton, Bunster, Cornwall, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 32.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented on behalf of Her Majesty, to a Bill entitled "An Act to amend the Law as to the qualification of Electors and of Elective Members for the Legislature, and to provide for the registration of persons entitled to vote at Elections of such Members.

*Government House,  
14th March, 1871.*

A further Message read as follows:—

*Message No. 33.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to enable the Governor to grant Charters for Tolls."

*Government House,  
17th March, 1871.*

On the motion of the Hon. the Attorney General, the Bill was read first time.  
Ordered to be read second time on Monday next.

Mr. Bunster presented the Petition of Inhabitants of Victoria, relating to Telegraph Regulations.  
Petition received and read.  
Ordered to lie on the table.

The Hon. Mr. Carrall gave a notice of motion.  
Mr. DeCosmos gave a notice of motion.  
Mr. Bunster gave a notice of motion.  
Mr. Nelson gave a notice of motion.

Mr. Nathan moved the suspension of Standing Orders.

Motion negatived.

Mr. Nathan gave a notice of motion.

Pursuant to the Order of the day, Mr. Nathan moved, Mr. Nelson seconding,—

That His Excellency the Governor be respectfully requested to abolish Road Tolls on Hides, Ore, and Furs.

Mr. Humphreys moved in amendment, Mr. Bunster seconding,—

That the words “send down a Bill to” be inserted between “to” and “abolish,” and the words “Wool, Tallow, and Cattle” be added.

Amendment put and carried.

On the original question as amended being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Bunster moved, Mr. DeCosmos seconding,—

That a respectful address be presented to the Governor, praying that His Excellency may be pleased to send down, for the information of the House, copies of all the correspondence that passed between the Government of British Columbia and Her Majesty's Government, relating to the suspension of Thomas Basil Humphreys from the exercise of the duties and office of a Legislative Councillor.

On the question being put the Council divided.

*Ayes 3, Noes 10.*

The names, on request, having been taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Bunster,	The Hon. Messrs. Hamley,
De Cosmos.	Phillippo,
	Helmcken,
	Carrall,
	Messrs. Alston,
	O'Reilly,
	Nathan,
	Cornwall,
	Nelson,
	Pemberton.

Mr. Humphreys not having voted was counted in the affirmative.

So it passed in the negative and the motion was lost.

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr. Bunster seconding,—

That a respectful address be presented to His Excellency the Governor, praying that provision be made for carrying a weekly mail between Metchosin and Muir's Landing, Sooke Harbour.

Resolution put and carried.

On the Order of the day being read for a motion in the name of Mr. DeCosmos, as to voting by Ballot,

Ordered that the same be postponed.



Pursuant to the Order of the day, the Hon. the Attorney General moved the second reading of the Civil List Bill, Mr. O'Reilly seconding.

Whereupon a debate arose.

Mr. Nathan moved in amendment, Mr. Humphreys seconding,

That the Bill be read second time this day three months.

The debate having terminated and on the amendment being put, the Council divided.

*Ayes 5, Noes 8.*

The names, on request, having been taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nathan,	The Hon. Messrs. Phillippo,
Humphreys,	Hamley,
DeCosmos,	Helmcken,
Bunster.	Carrall,
	Messrs. O'Reilly,
	Cornwall,
	Alston,
	Pemberton.

Mr. Nelson not having voted was counted with the Ayes.

So the amendment was negatived.

On the question of the second reading of the Bill being put the Council again divided.

*Ayes 9, Noes 4.*

The names, on request, being taken down as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Phillippo,	Messrs. Nathan,
Hamley,	Humphreys,
Helmcken,	DeCosmos,
Carrall,	Bunster.
Messrs. O'Reilly,	
Cornwall,	
Alston,	
Pemberton.	

Mr. Nelson not having voted was counted with the Ayes.

So the question was carried in the affirmative and the Bill was read second time.

Ordered to be committed on Monday next.

Pursuant to the Order of the day, the Controverted Elections Bill was read second time.

Ordered to be committed on Monday next.

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 1 o'clock on Monday next.

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**Monday, the 20th day of March, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Carrall; Messrs. De Cosmos, Nelson, Alston.

The Minutes of the previous Meeting read and confirmed.

Pursuant to the Order of the day, the Loan Investment Bill was read second time.  
Ordered to be committed on Wednesday next.

Pursuant to the Order of the day, Mr. DeCosmos asked leave to bring in Bankruptcy Exemption Bill.

Ordered that leave be granted and the Bill read first time.

The Bill was read first time accordingly.

Ordered to be read second time on Wednesday next.

Then, on the motion of Mr. DeCosmos, the Council adjourned till 1 o'clock to-morrow.

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**Tuesday, the 21st day of March, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Phillippo, Carrall; Messrs. Nathan, Cornwall, DeCosmos, Bunster, Pemberton, Nelson, Alston.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 34.*

A. MUSGRAVE.

The Governor has received the Resolution of the Honourable Legislative Council, requesting that a Bill may be submitted to them for the prevention of Bulls and Stallions running at large during certain months of the year.

While agreeing with the Council in regarding such a measure as desirable, the Governor fears that sudden legislation upon this subject, without notice, might have the effect of causing misapprehension and possible disturbance on the part of the Indian Tribes, who would be affected by the provisions it is intended to establish. The Governor proposes, therefore, as a first step, to warn the Indians, through the Magistrates in the several Districts, of the regulations which are to be in future enforced, and thus prepare the way for the Act, which, under these circumstances, he thinks it would be preferable to postpone until the next Session of the Legislature.

*Government House,  
20th March, 1871.*

A further Message read as follows:—

*Message No. 35.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to repeal certain Acts, Ordinances, and Proclamations."

*Government House,  
20th March, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Bill be now read a first time.

Read first time accordingly.

Second reading ordered for to-morrow.

Mr. DeCosmos gave a notice of motion.

The Hon. Mr. Phillippo gave a notice of motion.

Pursuant to the Order of the day, the Toll Charter Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act to enable the Government to grant Charters for Tolls."

On the Order of the day being read for the Committal of the Controverted Elections Bill.

Ordered to be committed to-morrow.

On the Order of the day being read for the Committal of the Civil List Bill, and the question put "That I do leave the Chair,"

Mr. DeCosmos moved in amendment, Mr. Nelson seconding,—

That this Council instructs the Committee of the whole to alter the Civil List Bill now before the House, so as to confine the operation of the Bill to the offices and salaries of the Colonial Secretary, Chief Commissioner of Lands and Works, and Attorney General.

On the question being put the Council divided.

*Ayes 5, Noes 8.*

The names being taken down, on request, as follows:—

<i>Ayes.</i>	<i>Noes.</i>
Messrs. Nathan,	The Hon. Messrs. Phillippo,
Nelson,	Hamley,
DeCosmos,	Helmcken,
Humphreys,	Carrall,
Bunster.	O'Reilly,
	Cornwall,
	Alston,
	Pemberton.

So the amendment was lost.

The Council then went into Committee on the Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported progress, and asked leave to sit again.

Ordered that the report be adopted, and leave granted the first thing to-morrow.

Then, on the motion of the Hon. Mr. Phillippo, the Council adjourned till 1 o'clock to-morrow.

### Wednesday, the 22nd day of March, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. Nathan, DeCosmos, Bunster, Humphreys, Alston, Pemberton, Cornwall, Skinner, O'Reilly.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 36.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented on behalf of Her Majesty, to a Bill entitled "An Act to regulate Elections of Members of the Legislature of the Colony."

*Government House,*

*22nd March, 1871.*

Pursuant to the Order of the day, the Council went into Committee on the Civil List Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported further progress, and asked leave to sit again.

Ordered that the Report be adopted and leave granted to-morrow.

On the Order of the day being read for the seconding reading of the Telegraph Regulation Bill,

Mr. Alston moved, Mr. Humphreys seconding,—

That the Bill be now read second time.

Mr. Helmcken moved in amendment, the Attorney General seconding,—

That the Bill be read second time this day six months.

Whereupon a debate arose, which having terminated the Council divided.

*Ayes 6, Noes 5.*

*Ayes.*

*Noes.*

The Hon. Messrs. Phillippo,  
Hamley,  
Helmcken,  
Carrall,  
Messrs. O'Reilly,  
Pemberton.

Messrs. Humphreys,  
DeCosmos,  
Bunster,  
Skinner,  
Alston.



So the amendment was carried and it was Ordered that the Bill be read second time this day six months.

Then, on the motion of Mr. Humphreys, the Council adjourned till 1 o'clock to-morrow.

### Thursday, the 23rd day of March, 1871.

The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present.—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. DeCosmos, Bunster, Pemberton, Alston, Nathan, O'Reilly, Skinner, Humphreys.

The Minutes of the previous Meeting read and confirmed.

On the Order of the day being read for the committal of the Civil List Bill, and the question put "That I do leave the Chair," the Council divided.

*Ayes 7, Noes 4.*

The names, on request, were taken down by the Clerk as follows:—

<i>Ayes.</i>	<i>Noes.</i>
The Hon. Messrs. Helmcken,	Messrs. Nathan,
Phillippo,	DeCosmos,
Hamley,	Humphreys,
Carrall,	Bunster.
Messrs. O'Reilly,	
Pemberton,	
Alston.	

So the question was carried, and the Council went into Committee accordingly.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Bill read third time, and it was Resolved that this Bill do pass and its title be "An Act to provide for a permanent Civil List."

On the Order of the day being read for the committal of the Loan Investment Bill, Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Cattle Exemption Bill was read second time. Ordered to be committed to-morrow.

Pursuant to the Order of the day, the Statute Repeal Bill was read second time. Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Pemberton in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with slight amendments.

Ordered that the report be adopted, and the Bill read third time at once.

Bill read third time accordingly, and it was Resolved that this Bill do pass and that its title be "An Act to repeal certain Acts, Ordinances, and Proclamations."

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr. Humphreys seconding,—

That a respectful address be presented to His Excellency the Governor, praying that any documents showing how the Telegraph line between Victoria and Cariboo is managed, and the nature of the pecuniary liabilities and privileges of the Government respecting the same, be laid before this House.

On the question being put the Council divided.

*Ayes 5, Noes 4.*

So it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, the Hon. Mr. Phillippo asked leave to bring in Charitable Institutions Bill.

Ordered that leave be granted, and the Bill read first time now.

Bill read first time accordingly.

Ordered to be read second time to-morrow.

Pursuant to the Order of the day, Mr. DeCosmos moved, Mr Nelson seconding,—

That a respectful address be presented to His Excellency the Governor, praying that the sum of \$500 be placed upon the Supplementary Estimates, for the purpose of clearing and improving the Road from New Westminster along the North Arm of Fraser River, known as the North Arm Road.

Question put and carried.

Pursuant to the Order of the day, Mr. Bunster moved, Mr. Nathan seconding,—

That His Excellency the Governor be respectfully requested to allow the Steamer "Isabel" to enter the Harbours of Victoria and Nanaimo free of port charges, in consideration of the said Steamer carrying the Mails free from the American shore, and making two trips per week to Victoria.

On the question being put it was carried in the affirmative and Resolved accordingly.

Pursuant to the Order of the day, Mr. Nathan asked leave to bring in Municipal School Aid Bill.

Ordered that leave be granted and the Bill now read first time.

Bill read first time accordingly.

Ordered to be read second time to-morrow.

Then, on the motion of Mr. Humphreys, the Council adjourned till 1 o'clock to-morrow.

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**Friday, the 24th day of March, 1871.**

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The Council met at 1 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall;  
Messrs. Alston, Nathan, DeCosmos, Humphreys, Pemberton, Bunster, Skinner.  
The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 37.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act for compiling and printing a new edition of the Laws of British Columbia."

*Government House,  
24th March, 1871.*

The Hon. the Attorney General moved that the Bill be now read first time.

Ordered accordingly, and Bill read first time.

Ordered to be read second time.

Bill read second time accordingly.

Ordered to be committed later in the day.

A further Message read as follows:—

*Message No. 38.*

A. MUSGRAVE.

The Governor forwards for the information of the Honourable Legislative Council, a copy of a Despatch from the Secretary of State, on the subject of the Ordinance passed by the late Council at its last Session "to prevent desertion from Merchant Ships," and he submits for their consideration a Bill which has been prepared to give effect to the suggestions of the Secretary of State.

*Government House,  
24th March, 1871.*

On the motion of the Hon. the Attorney General, Ordered that the Bill be now read a first time.

Read first time accordingly.

Second reading ordered for to-morrow.

Mr. Humphreys spoke to a question of privilege.

On the Order of the day being read for the Committal of the Loan Investment Bill,  
Ordered to be postponed till to-morrow.

On the Order of the day being read therefor,

The committal of the Cattle Exemption Bill was ordered to be postponed till to-morrow.

On the Order of the day being read therefor,

The committal of the Controverted Elections Bill was ordered to be postponed till to-morrow.

Pursuant to the Order of the day, the Charitable Associations Bill was read second time.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act to incorporate Charitable, Philanthropic, and Provident Associations."

On the Order of the day being read for the second reading of the Municipal School Aid Bill,

Ordered to be postponed.

Pursuant to the Order of the day, the Compilation of Laws Bill was committed.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with certain amendments.

Ordered that the Report be adopted and the Bill be now read third time.

Bill read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act for compiling and printing a new edition of the Laws of British Columbia."

A Message from His Excellency the Governor, read as follows:—

*Message No. 39.*

A. MUSGRAVE.

The Governor forwards herewith, for the consideration of the Honourable Legislative Council, a Bill entitled "An Act to abolish Road Tolls on all articles coming from the Interior of the Colony."

*Government House,  
24th March, 1871.*

On motion of the Hon. the Attorney General,

Bill read first and second times.

Ordered to be committed at once.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with slight amendments.

Ordered that the Report be adopted and the Bill read third time at once.

Read third time accordingly, and it was Resolved that this Bill do pass, and its title be "An Act to abolish Road Tolls on articles coming from the Interior of the Colony in the direction of the Seaboard."

Then, on the motion of the Hon. the Attorney General, the Council adjourned till 11 o'clock on Monday next.

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### Monday, the 27th day of March, 1871.

The Council met at 11 o'clock, pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

Present,—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. Alston, DeCosmos, Nelson, Skinner, Humphreys, Bunster, O'Reilly, Pemberton.

The Minutes of the previous Meeting read and confirmed.

A Message from His Excellency the Governor, read as follows:—

*Message No. 40.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to a Bill entitled "An Act to enable the Governor to grant Charters for Tolls."

*Government House,  
24th March, 1871.*

Pursuant to the Order of the day, the Council went into Committee on the Loan Investment Bill.

Mr. Speaker left the Chair.

The Hon. Mr. Hamley in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Read third time accordingly, and it was Resolved that this Bill do pass, and its title be "An Act to amend the Loan Investment Ordinance, 1869."

Pursuant to the Order of the day, the Council went into Committee on the Cattle Exemption Bill.

Mr. Speaker left the Chair.

Mr. Skinner in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Read third time accordingly, and it was Resolved that this Bill do pass and its title be "An Act to exempt (in certain cases) Cattle farmed on shares, and their increase, from the operation of any Bankruptcy or Insolvency Laws."

A further Message read as follows,—

*Message No. 41.*

A. MUSGRAVE.

The Governor acquaints the Legislative Council that he has assented, on behalf of Her Majesty, to the Bills entitled respectively—

"An Act to repeal certain Acts, Ordinances, and Proclamations,"

"An Act to prevent Bribery, Treating, and Undue Influence at Elections of Members of the Legislature."

*Government House,  
27th March, 1871.*

Mr. DeCosmos moved the suspension of Standing Orders.

Motion negatived.

Council adjourned during pleasure.

Pursuant to Order, the Merchant Shipping Bill was read second time.

The Council went into Committee on the said Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Bill read third time, and it was Resolved that this Bill do pass and its title be "An Act to prevent desertion from Merchant Ships."

Pursuant to the Order of the day, the Council went into Committee on the Controverted Elections Bill.

Mr. Speaker left the Chair.

Mr. Alston in the Chair of the Committee.

On Mr. Speaker resuming the Chair, the Chairman reported the Bill complete with amendments.

Ordered that the Report be adopted and the Bill read third time.

Read third time accordingly, and it was Resolved that this Bill do pass, and its title be "An Act to make provision for enquiring into Controverted Elections and disputed Returns of Members to serve in the Legislature."

On the Order of the day being read for the second reading of the Municipal School Aid Bill,

Bill withdrawn by leave.

Then, on the motion of the Hon. Mr. Helmcken, the Council adjourned till 2.30 p.m. to-morrow.

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## **Tuesday, the 28th day of March, 1871.**

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The Council met at 2.30 p.m., pursuant to adjournment.

The Hon. Mr. Speaker in the Chair.

**Present.**—The Hon. Messrs. Hankin, Phillippo, Hamley, Helmcken, Carrall; Messrs. DeCosmos, Bunster, Pemberton, Alston, Nathan, Nelson, Skinner, Humphreys.  
The Minutes of the previous Meeting read and confirmed.

His Excellency the Governor, attended by his Private Secretary, then entered the Council Chamber, and, having occupied the Speaker's Chair, delivered the following Speech proroguing the Council:—

*Mr. Speaker and Gentlemen of the Honourable Legislative Council.*

The period has now arrived when I may with propriety relieve you from further attendance on Legislative duties, as you have had under your consideration all those subjects with which it is expedient to deal at the present time.

I have received from the Secretary of State for the Colonies an intimation of the satisfaction with which Her Majesty's Government have regarded the intelligence of the unanimous passing of your Address to the Queen, praying for Union with the

Dominion of Canada. There is no reason to doubt that the Parliament of the Dominion will also adopt a similar course during their Session. We may now, therefore, confidently anticipate that within a short time the formal declaration of Union will be proclaimed.

I entertain the strongest hope, and indeed cherish the assurance, that this coming event will be the commencement of a new and prosperous era for the Community. The arrangements by which it will be inaugurated are most favourable to this Province of the Dominion; and it will only remain for the good sense, moderation, and prudence of the people so to use their advantages, and the circumstances by which they are surrounded, as to obtain a happy issue from the material benefits, and the working of the free Political Institutions which are about to be established.

At the conclusion of a Session begun under so great a sense of responsibility, and with so many important duties incumbent upon us in the arrangements necessary for the future, I congratulate you on the manner in which the business has been conducted, and upon the success of your labours. In the measures which I have recommended to you, I have been guided by the experience which I have acquired of the working of Representative Institutions under different circumstances in several other Colonies. No human precautions are perfect, and doubtless imperfections will be discovered, which from time to time will require correction. But I am confident the practical test of experiment will justify the wisdom of the principles upon which we have proceeded in shaping the political machinery for the future administration of the Local Government, and the enactments by which we have endeavoured to carry those principles into action. With regard to one of these, the Civil List Act, which is in fact ancillary to the Constitution Act, some erroneous impressions have been received. The measure was not intended to render the several Departments of the Public Service independent of the Legislature of the Colony, nor can it have that effect. It will not prevent the dismissal of any official for misconduct, nor be an obstacle to systematic remodelling of Public Departments. But experience has shewn, without exception, that the tendency of "Responsible Government" in small communities is to increase public expenditure, and to provide for party followers at the expense of public interests. The operation of the "Civil List Act," while it affords a certain protection to individuals now in the Public Service from unjust removal, is mainly valuable as a restraint upon the Executive authority, and to prevent any alteration or increase of existing Departments, without the well considered sanction of the Legislature. There is nothing contained in the Act to prevent amendment or modification whenever such a course shall be deliberately and constitutionally adopted.

Your existence as the first Representative Legislature of the United Colonies of British Columbia and Vancouver Island will be ephemeral. Another of the measures to which I have referred will be the cause of your own extinction and the substitution of a larger and differently constituted Legislative Body. But your Members may reflect with pride that to you has been confided the privilege of deciding upon the most important questions which have hitherto arisen, or are likely to arise for years to come, in the history of the Colony; to you belongs the honour of extending the limits of the British American Confederation to the shores of the Pacific, and of cementing the foundations of a great and prosperous state, whose future promises to be enlightened and progressive.

For myself I feel proud that I have been permitted to participate with you in this work. But, one of its effects will probably be soon to terminate my official connection with the Colony. I may not again meet the Legislature in Session assembled; and I embrace this opportunity to express my thanks for the support which I have always obtained at your hands and my acknowledgment of the harmonious relations subsisting between the Legislature and myself during the whole period of my administration. Whatever may be my future fortune, I shall carry away with me from British Columbia, and I hope you will retain, a pleasant recollection of good feeling and mutual assistance in accomplishing the work which we undertook to perform.

I now prorogue your Honourable Council, and the same is hereby prorogued accordingly.

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## APPENDICES



## APPENDIX A

### BRITISH COLUMBIA LEGISLATIVE COUNCIL

#### Debate on the Subject of Confederation With Canada.

**Wednesday, 9th March, 1870.**

The Hon. ATTORNEY GENERAL CREASE opened the debate on Confederation, as follows:—

Mr. President,—I rise to move that this Council do now resolve itself into Committee of the whole, to take into consideration the terms proposed for the Confederation of the Colony of British Columbia with the Dominion of Canada, in His Excellency's Message to this Council.

In doing so, I am deeply impressed with the momentous character of the discussion into which we are about to enter, the grave importance of a decision by which the fate of this our adopted country of British Columbia must be influenced, for better, for worse, for all time to come. And I earnestly hope that our minds and best energies may be bent to a task which will tax all our patriotism, all our forbearance, all our abnegation of self, and selfish aims, to combine all our individual powers into one great, united effort for the common good.

May He who holds the fate of Nations in the hollow of His hand, and crowns with success, or brings to naught, the counsels of men, guide all our deliberations to such an issue as shall promote the peace, honour, and welfare of our Most Gracious Sovereign, and of this and all other portions of Her extended realm.

And now, Mr. President, I must dwell a few moments on the exact practical import of the motion before the House, and the issue which is involved in the "Aye" or "No" which each Honourable Member will be called upon to cast upon the question which you, Mr. President, will put to the House in that familiar Parliamentary phrase "That I do now leave the Chair?"

This issue is, Confederation or no Confederation?

The motion assumes that the principle of Confederation has been already fully adopted by this House—and having so assumed, asks you now to go into Committee of the whole to discuss the Terms on which the Colony would be content to be confederated with the Dominion.

Your question, therefore, Mr. President, "That I do now leave the Chair?" means—Will you refuse Confederation at any price? or Will you have it on favourable terms? That is the issue before us now.

Now, therefore, is the time for those Honourable Members who, notwithstanding

the previous Resolutions of this House so frequently affirming the principle, ["No, No," from Dr. Helmcken] still conscientiously object to the principles of Confederation, to come forward and explain to this Honourable body, and to the country at large, their views,—why they still refuse to aid in the consolidation of British interests on the North American Continent, by the Confederation of this Colony with the Dominion, and the creation of one homogeneous nationality from sea to sea.

Some Honourable gentlemen say "No, No" to my statement that the House has affirmed the principle of Confederation. But I appeal to the Journals of this House, in proof of what I state. I well remember, on the 19th March, 1867, when the "British North America Act, 1867" was being framed by the Imperial Parliament, this Council, anxious to be embraced within the purview of its provisions, passed by an unanimous vote the following Resolution:—

*Resolved*, That this Council is of the opinion that at this juncture of affairs in British North America, east of the Rocky Mountains, it is very desirable that His Excellency be respectfully requested to take such steps, without delay, as may be deemed by him best adapted to insure the admission of British Columbia into the Confederation on fair and equitable terms, this Council being confident that in advising this step they are expressing the views of the Colonists generally.

And more than that, this Resolution was followed up by a deputation of individual members to Governor Seymour, who at their instance telegraphed to the Secretary of State the purport of that Resolution; and on the 22nd March, the following Message was sent down to the Council on the subject:—

The Governor has received the Resolution of the Legislative Council, dated the 18th instant, in favour of the admission of British Columbia with the proposed Confederation of the Eastern British Colonies of North America. He will place himself in communication on the subject with the Secretary of State, with Viscount Monck, Governor General of Canada, and with Sir Edmund Head, Governor of the Hudson's Bay Company.

Whatever construction may be put upon this Resolution by Honourable Members who have said "No, No," one thing is certain, it affirmed, in the most distinct manner, by this Council *the principle of Confederation*, the advisability of our joining at some-time or other the Dominion of Canada. That principle has during every subsequent session, down to the present day, been confirmed, either directly or indirectly, by a specific Resolution of this House ["No, no," from Dr. Helmcken and Mr. Wood]. Thus, on the 28th April, 1868, a Resolution was passed by this Council confirming the previous Resolution, in the following terms:—

That this Council, while *confirming the vote of last Session in favour of the general principle* of the desirability of the Union of this Colony with the Dominion of Canada, to accomplish the consolidation of British interests and institutions in North America, are still without sufficient information and experience of the practical working of Confederation in the North American Provinces, to admit of their defining the terms on which such an Union would be advantageous to the local interests of British Columbia.

What is that but a confirmation of the principle? Now let us look to the Journals of 1869. There I see that, on the 17th February, 1869, when owing to the position of other political issues then current in the Colony, it would have been easy, had it been so desired, to procure an adverse verdict on the principle of Confederation, the House, though invited to do so, refused to go any further than to request Her Majesty's Government (while the North-West Territory was still out of the Dominion) not to press the *present* consummation of Union. The word "present" was an express amendment of my Honourable colleague opposite (Mr. Trutch) and myself, so as to preserve the principle, and bide our time. The House, therefore, I take it, has thoroughly and uniformly committed itself to the principle of Confederation, and may very properly be invited now, setting aside all causes of difference, for the common good, calmly, frankly, and cordially to enter upon a discussion of the terms. But if any Honourable Members think the principle has not been decided, now is the time and now the hour to settle that point (as far as this Session and this present Council is concerned) once and forever. They are bound, in support of their views, to lay before the Council the reasons for the faith that is in them, and to explain why we should not consolidate counsels with the Dominion.

And here, Mr. President, let me say a few words upon the position the Official Members of this Council have occupied throughout the whole of this matter.

Their action has been much misunderstood—I will not say misconstrued—both in England and at Ottawa.

Until the receipt of Earl Granville's Confederation Despatch of the 14th August, 1869, they did not feel themselves at liberty to go further in the direction of Confederation than to affirm the general principle of its propriety, carefully abstaining from the expression of opinion on the merits of any particular mode, details, or time of carrying that principle into practical effect.

That, they considered, could most effectually be done by Her Majesty's Government, an Executive peculiarly qualified for the task, this Legislature, and the People of this Colony all acting in concert together, as it is now proposed to do.

I do not at present intend to enter into the details of what particular terms would or would not be most advantageous to this Country in any proposal for Confederation.

That will be a question for the House to settle when, if ever, we get into Committee on the subject; but, inasmuch, as the principle of Confederation means the advisability of consolidating British interests on the North American Continent, it is impossible to lose sight altogether, in a debate upon the principle, of the general advantages to be derived by British Columbia from a participation in that great scheme.

I readily confess that there are drawbacks to material union, such as distance, lack of communication, and, to some extent, want of identity of interest, which can only—but yet which can—be removed either wholly, or in a very great degree, by suitable conditions of Union.

It is for us to determine those conditions in this House, and after negotiation upon them with Canada, to submit them to the decision of the popular vote, the people being the parties principally affected by the change, who will have to pass in the last resort, once and for ever, upon the whole question.

The circumstances, political, geographical, and social, under which we are at present placed, compel us to political movement in one direction or another, and the question is now—In what direction shall we go?

We are sandwiched between United States Territory to the north and south—indeed on all sides but one, and that one opening towards Canada. Our only option is between remaining a petty, isolated community 15,000 miles from home, ekeing out a miserable existence on the crumbs of prosperity our powerful and active republican neighbours choose to allow us, or, by taking our place among the comity of nations, become the prosperous western outlet on the North Pacific of a young and vigorous people, the eastern boundary of whose possessions is washed by the Atlantic.

This is the only option left to faithful subjects of the British Crown.

Now look at our condition as a Colony, with a climate far finer than any other in the



world, with magnificent harbours, rivers, seas, and waters for inland navigation, with unrivalled resources of almost every description you can name—coal, lumber, spars, fish, and furs—mines of gold, silver, copper, lead, cinnabar, tin, and almost every other mineral throughout the land; with a soil and climate admirably adapted to pastoral and agricultural pursuits—with almost every natural advantage which the lavish hand of nature can bestow upon a country—the undoubted fact remains:

We are not prosperous.

Population does not increase.

Trade and Commerce languish; coal mining does not advance; agriculture, though progressive, does not go forward as it might.

The settlement of the country, though increasing, yet falls short of just expectations.

No public works for opening the country are on hand, and a general lack of progress (that is, proportioned to the extraordinary resources of the Colony) is everywhere apparent.

And why is this?

It is not, as some allege, because of the particular form of Government we at present enjoy (if it were, Confederation in that would effect a change).

It is among other things a Public debt altogether disproportioned to our means.

Our close proximity to an active and powerful neighbour whose interests are foreign to our own. ["Hear, Hear," from Dr. Helmcken]. But the chief reason of all is that policy of isolation which has kept us aloof from the assistance and sympathy of a kindred race, and left us in the infant state of one of England's youngest Colonies, to support the burdens and responsibilities of a thickly peopled and long settled land.

Do Hon. Members ask what would Confederation do for us?

It would at once relieve us from the most if not all the present ills from which we suffer, if properly arranged.

For Confederation in some sense means terms. It would assume our Public Debt.

Greatly increase our Public Credit, and thereby aid in the utilization of our varied resources.

It would leave us a *good balance* in our Exchequer to carry on all local works and open out the country.

It would give us a Railroad across the Continent, and a quick and easy access to Ottawa, New York, and London.

It would cement and strengthen, instead of weaken, our connection with the Motherland, and ensure the protection of her Fleet and Army.

It would attract population, ever tending in a continuous wave towards the West.

It would promote the settlement of our Public Lands, and the development of Agriculture.

Under it Trade and Commerce would take a fresh start. It would enlarge, not contract our political horizon, and it would infuse new hope and life blood into the whole

system of the Colony, and not leave us a mere detached Municipality, as some suppose, any more than Scotland is separate from the rest of Great Britain, or the County of Kent from England.

I leave to others to dilate upon the advantages which Canada would derive from the connection, the possession of a Far West (Canada's great want) into which her rapidly increasing population may pour, instead of going to swell the bulk of the adjoining States.

Those gentlemen will be able to show that the ultimate importance—nay possible existence—of the Dominion as a Nation may hereafter, in some measure, depend upon her Union with ourselves.

To them, also, I leave the task of dwelling on the healing of old internal feuds of race and language of which Confederation is the only cure.

If we watch the progress of events, they all point to the same end, to the growth of a new universal sentiment of nationality in British America.

It is clear that events all gravitate in that direction.

[Mr. De Cosmos "In the direction of Confederation or Nationality?"]

I say Sir, that the current of events points to Confederation and ultimately to Nationality.

Confederation is evidently our ultimate destiny—Our own interests—Canadian aspirations—and Imperial policy, as enunciated in the Secretary of State's Despatch, all point the same way.

We shall, therefore, best consult the real interests of the Colony, the sooner bring on a new era of progress and prosperity in this favoured land, by not delaying to debate and consider over the advisability of the principle itself, but at once go into Committee of the Whole, and there combine all our energies upon the best scheme to be submitted in the last resort to the decision of the people, for carrying out the principle of Confederation, under God's blessing, successfully into practical effect.

The motion was seconded by the Hon. the Chief Commissioner of Lands and Works, who was excused from speaking at this stage of the debate on the ground of indisposition, under which he was manifestly suffering.

The Hon. MR. HELMCKEN said, the subject of Confederation was introduced by His Excellency the Governor in his Speech, in the following terms:—

The community is already acquainted with the Despatch which I have recently received from Her Majesty's Secretary of State on this subject; and the careful consideration of it cannot longer be deferred with courtesy to Her Majesty's Government, or advantage to the Colony. I commend it to your earnest thought. For my own part I am convinced that on certain terms, which I believe it would not be difficult to arrange, this Colony

may derive substantial benefit from such an Union. But the only manner in which it can be ascertained whether Canada will agree to such arrangements as will suit us, is to propose such as we would be ready to accept. With the assistance of my Council, I have prepared a scheme which I shall cause to be laid before you. Resolutions framed upon that basis will enable me to communicate with the Government of Canada and ascertain whether they will be willing to accede to our propositions.

While the views of Her Majesty's Government have been clearly and forcibly expressed upon this question, I am sure there is no desire to urge the Union, except in accordance with its general acceptance by British subjects in the Colony. I do not, therefore, propose that any terms agreed upon by the Government of Canada should be finally accepted, until ratified by the general verdict of the community, so far as that can be ascertained through another Council, of which the Unofficial Members shall have been re-elected.

Before proceeding to the consideration of the subject, I will reply in a very few words to the speech of the Hon. Attorney General. The Hon. gentleman laid great stress upon the consolidation of British interests on this Coast, but I say, Sir, that however much we are in favour of consolidating British interests, our own interests must come first, Imperial interests can well afford to wait. We are invited to settle this question now and for ever, but I say that we are not called upon to do so; the matter will come before the people after the proposed terms have been submitted to the Dominion Government, and it will very likely happen that, if these terms are rejected and others of a mean nature substituted by the Government of Canada for the consideration of the people of this Colony, other issues may come up at the polls, and amongst them, the question whether there is no other place to which this Colony can go but Canada; whatever may be the result of the present vote, it is impossible to deny the probability of the less being absorbed by the greater; and it cannot be regarded as improbable that ultimately, not only this Colony, but the whole of the Dominion of Canada will be absorbed by the United States. The Hon. Attorney General has not attempted to prove the advantages which will result from Confederation, he has contented himself with vague assertions of advantages.

The question is only brought down by the Governor in consequence of the Despatch of Lord Granville; all we have to do is to agree to a series of Resolutions. It is not pretended that it is the voice of the people, or the voice of this Council. It is well understood that it is a Government measure. And we all know what that means—it means that

this series of Resolutions is to be passed—And we have it from the Governor that he desires to send these Resolutions to Canada; they will not go, they are not intended to go, as the opinion of the people, but when certain terms have been agreed upon between the Government of this Colony and the Dominion Parliament, they will come back to the people for ratification. It remains then for the people to organise, so as to be ready at the proper time to give their verdict, for the responsibilities will ultimately rest with the people, and it is for them to say whether they will have Confederation or not.

I do think, Sir, that the question ought to have been an open one.

Her Majesty's Government ought not to have interfered, they are not justified in interfering in business which we could very well manage for ourselves.

I feel certain that His Excellency will act uprightly, fairly, honestly, and generously, by, and for, the Colony [hear hear]; and, Sir, I fully believe that if these terms are declined now, in any future negotiations that may take place, if the people support the Governor, no terms will be accepted, or ever proposed, which would lead to this Colony being sacrificed to Canada, and that the people will have every opportunity afforded them to organise for the final vote when the time arrives for the settlement of this question "finally and forever," as the Honourable Gentleman has put it.

I see no reason, Sir, why Her Majesty's Government should interfere with our affairs, there is no reason that the Members of this Council should be coerced.

The desire of Her Majesty's Government is in reality a command to the Executive.

A new Election ought to have been called before this question was brought on; but there is one satisfaction left us, it is that Her Majesty's Government have left the terms to the Colony.

It is for the people to use that power rightly, wisely, and well, to see that Confederation means the welfare and progress of the Colony.

Now, Sir, in the first place, it is necessary for the people to see that Confederation must be for the general good of the Colony.

I am opposed to this question being brought down now.

I believe it to be most inopportune. It is believed by most people that this Colony is on the verge of great changes. That the new gold discoveries will bring a large population to this Colony, and that the slight despondency which now exists will be swept away, and that this Colony will once more enter upon an era of prosperity not inferior to that which belonged to it a few years ago.

I say, Sir, that this is an inopportune period to bring this question up, because when that population which is expected arrives, our position to negotiate for terms will be much better, because with a larger population and greater prosperity, we may demand far better terms than now, and, Sir, it is my firm conviction that if prosperity comes shortly



the people of this Colony will not desire to change certainty for uncertainty.

Another reason there is that we ought to wait until after 1871; in that year Canada has to take a census of the population, and when that is taken we shall know the amount of the debt per head. I have no doubt it is greater now than when Confederation was first inaugurated. It is increasing, and I believe that instead of 22 cents per head it will now be 25 cents.

I should like, then, to wait until after 1871, because we shall then have a better opportunity of knowing the financial condition of those with whom we would connect ourselves.

It is inopportune, also, for the reason that the present difficulties in the Red River Settlement are sufficient to cause us great anxiety. I will not take up the time of this House by inquiring whether the people of that Territory are right or wrong. I know not, and shall not discuss the question: but this I do know, that if they induce the Indians to join them it will cause a great delay in the settlement of that country; and we do not even yet know that the Red River Settlement will prove so inviting to emigration as is reported. Again, Sir, I may state that Confederation, so far as it has at present gone, is but a mere experiment. It is nothing more or less than an experiment. And I believe that considerable dissatisfaction has resulted from it. If we wait a little longer before seeking to enter within its pale ourselves, we shall know better about the faults of its machinery, and perhaps be able to learn what are its drawbacks, and how we can best avoid them. These, Sir, are good and sufficient reasons for delay. It is absurd to attempt to ally ourselves with a people 3,000 miles away, without any settlement of the intervening country, with no communication except through the United States, and with no telegraphic communication. Canada is for all practical purposes further removed from us to-day than England, we know less about her. When we asked for a copy of the Canadian Tariff we were told that there was no copy to be had. ["Yes, yes," from Hon. Members.] No official copy then.

This, then, shows forcibly the intimate nature of the relations subsisting between us. When we desire to refer to the Canadian Year book, a most useful work, which during the present discussion ought to be in the hands of every member, we find but two copies. This, again, shows the extent of our communication with Canada. Her Majesty's Government seem to think that they know best what is for our interest, and it seems much as if they said to us "You are a Crown Colony, and you ought to remain one. You are not fit to govern yourselves; we do not want you; we will hand you over to Canada." I would rather that we were governed from Downing Street. It is not, in my opinion, necessary or desirable that this Colony should be Confederated with Canada. And now, Sir, let us glance at this Colony. I need not dilate upon what is known to all. I maintain Sir, that this Colony is one of the

richest portions of the world's surface; that it has unlimited supplies of lumber and spars; that it possesses coal, gold, and other minerals in abundance; that her waters teem with fish; that it is rich in everything. Take the climate; it is far better than that of England, far more temperate, far more bright and sunny, and, I may fairly add, far more healthy.

We are asked by the Honourable the Attorney General why the Country does not get on; and I will now proceed to tell you, Sir, why the Country has not prospered as it ought to have done. It is because the Government has paid too little attention to the acquisition of population. One very great drawback to its progress and the settlement of its land, is its proximity to the United States, that proximity is one of the chief reasons that it has not been peopled as it would have been; when we look at the energy and enterprise there, and at the field which the United States offers for Emigrants and the enterprising of all nations, how can we wonder that that Country is preferred to ours, and that people when they become dissatisfied here, should leave for the United States. The United States hem us in on every side, it is the Nation by which we exist, it is the Nation which has made this Colony what it is, but, nevertheless, it is one of our greatest drawbacks. We do not enjoy her advantages, nor do we profit much by them; we do not share her prosperity, and we are far too small to be her rival. The effect of a large body and a small body being brought into contact, is, that the larger will attract the smaller, and ultimately absorb it ["yes, yes," and "no, no,"]

[Hon. Member for Kootenay—How about Switzerland?]

I say more, Sir, I say that the United States will probably ultimately absorb both this Colony and the Dominion of Canada ["no, no, no," from Mr. Trutch, Mr. Crease, and others]. Canada will in all probability find it quite as much to her advantage to join her ultimately, as we do now to join the Dominion. I say, Sir, that one cause of our want of prosperity has been the neglect of acquisition of population, and particularly of agricultural population. The next cause is that we have driven people out of the Colony.

I need only allude to our having deposed the Free Trade system. That deposition took population out of the Colony which has never been replaced, there was a depopulation of the Cities without any attempt having been made to obtain a substitute rural population; we are now asked to undergo another revolution which will ruin our farmers, and do no sort of good to those engaged in commercial pursuits.

I do not intend, Sir, to follow the details of the proposed terms at present, but there seem items which I must notice.

I hold in my hands the published returns of the Custom House receipts for last year, and this document shows plainly, that no less than a half a million of dollars are sent out of the Colony every year for the purchase

of agricultural productions, wheat, barley, flour, and cattle, all of which, considering the fertility of our soil, its abundance, the magnificent, salubrious, healthy, sunny, and more than temperate climate, we ought to produce ourselves; this Colony probably raises another half million's worth. If we adopt the Canadian Tariff we shall throw away this million of dollars, that is, the half million which we raise, and the half million which can be raised, and for what? For the sake of problematical benefits which some think likely to arise from Confederation. If Confederation should come and bring with it the Tariff of Canada, and it will do so, the great inducements which we now have to attract population, will be taken away. So far from Confederation benefiting the commercial community, I say it is much rather calculated to do them harm. No doubt if public works are undertaken, as we are told will be the case under Confederation, employment will be given for a time, but the supplies required will come from the United States, and our public works will actually be of more benefit to the United States, during their construction, than this Colony. What we want, is an enlarged outlet for our resources. We want markets for our coal and lumber, we want our local industries fostered, and all of these can be obtained by a judicious arrangement of our own Tariff. Next, we want agricultural population, and any increase of this kind of population must depend upon the encouragement given. If our agricultural interests are left without encouragement, we shall not get an increased agricultural population; and, therefore, the country will not reap so much benefit from public works, as the supplies will come from the United States.

We shall find it difficult, Sir, to get a Tariff from Canada that will suit us, and I think that I shall be able to show you, Sir, that Confederation will not produce population. Anything that deprives this Colony of the power of protecting the local industries and interests of the Colony, and of regulating and fostering its commerce and trade, cannot be otherwise than dangerous and injurious to the country.

I feel perfectly sure, Sir, that if Confederation should come, bringing with it the Tariff of Canada, not only will the farmers be ruined, but our independence will be taken away; it will deprive our local industries of the protection now afforded them, and will inflict other burdens upon them; it will not free trade and commerce from the shackles which now bind them, and will deprive the Government of the power of regulating and encouraging those interests upon which the prosperity of the Colony depends.

There can be no permanent or lasting union with Canada, unless terms be made to promote and foster the material and pecuniary interests of this Colony. The only link which binds this Colony to Canada is Imperial. The people must be better off under Confederation than alone, or they will not put up with it. We are told, Sir, that public

works are to be undertaken. I answer that they may do good to some, but the supplies both of food and raiment will come from the United States, who will in reality reap the lion's share of the benefit; and, what is more, as soon as the money was expended the people would begin to consider whether they were equally well off under Confederation, as they might be under another Government; and if a change should be desired, it is perfectly plain that Canada cannot use force to keep the people of this Colony within the Dominion, they must be better off under Confederation than alone, or they will not stop in the Confederacy.

Our true course, Sir, judging from the statistics is not to look to Canada, but to seek to extend our markets for our natural productions, and to obtain an agricultural productive population. I say, Sir, that there is no necessity for us to join Canada; we can get on very well by ourselves at present.

The Hon. Attorney General says Canada will take over our debts, but I say, Sir, that our debt in proportion to our population is very little more per head than that of Canada. When I state this, I mean that Indians are very large consumers and producers, and ought to be reckoned with the population. Our expenses will soon be much smaller. What I mean, Sir, is, that at the end of 1871, this Colony will save \$50,000, for one of the loans will have expired, thus saving us \$36,000, and floating loans will be funded, and we shall save ten or twelve thousand by that.

I shall not go into the question of Canada being able to defend this Colony; I do not believe, Sir, that Canada is able to defend itself. Great Britain has taken away her standing army. Canada will very soon be required to pay for the few troops that are left, and in the next place they will be asked to contribute to the expense of keeping up the navy.

Confederation would make the Dominion territorially greater, but would in case of war, be a source of weakness. It is people, not territory, that makes a country strong and powerful. To be strong, the union must be of people, and in my opinion that condition is wanting. I feel certain that Her Majesty's Government has no wish to be put to the expense of defending the country. No wish to be involved in quarrels with the United States. No wish to keep Canada depending upon her support, but rather a wish to force her into independence, to get rid of her altogether.

I am opposed to Confederation, because it will not serve to promote the industrial interests of this Colony, but on the contrary, it will serve to ruin many, and thus be detrimental to the interest and progress of the country. I say that Confederation will be injurious to the Farmers, because protection is necessary to enable them to compete with farmers of the United States. The Tariff and Excise Laws do not supply that. They will be inimical to brewers.



Inimical to the Spar Trade;  
 Inimical to Fisheries;  
 Inimical to Whaling Pursuits;  
 Inimical to Spar and Lumber Business.

Turn to the Canadian Tariff and you will find grain admitted free. I maintain that if the tariff now imposed upon cereals and agricultural produce be taken away, farmers of this Colony will be brought into competition with the farmers of the United States, and will succumb [Mr. DeCosmos—Lower Country Farmers]. Yes, and here the Resolutions are silent where they ought to be loudest.

I shall not attempt to prove that farmers did not prosper under Free Trade; be that as it may, they are now prosperous and becoming rich. There is no better advertisement for population than the fact of the present prosperity of the farmers. Take away that prosperity, and you do away with the chief inducement which you have for agricultural population.

I go on to brewers, and these interests, though in point of fact small, are in proportion as large with us, as larger interests would be to a larger population; moreover, we, having so small a population cannot afford to risk a change, because we cannot recuperate quickly. Under the Canadian law a brewer must take out a brewer's and malster's license, and has to pay one cent per pound on all malt made, and as there is an average amount of 1,248,000 pounds of malt consumed in the year, the average duty would amount to \$12,680 per annum, in addition to which they will have to pay a malster's and brewer's license. The duty upon that amount of malt now is \$3,750. Confederation therefore will increase the malt duty by nearly \$9,000. Brewers would probably buy all their malt from abroad or cease to brew, especially when we take into consideration the annoyances connected with the bonding system. You will see, Sir, that this quantity of malt would take 500 acres of land to raise it, so that in addition to injuring the brewers, the farmers are also injured.

Under the Canadian Law, salmon must not be taken at the mouth of any river when they are going up for the purpose of spawning. We all know that they must be taken. If we are not allowed to catch them as they go up we should never get them at all. They never come down again; they go up to die.

Again, according to Canadian Law, whales must not be taken by means of bombs or firearms: and I am told they cannot be taken without firearms in these waters, so that under Confederation whales would be free to spout as they pleased.

Under Canadian Law, tobacco cannot be grown without excise duty: it has to be bonded, and its cultivation would be abandoned. Alkaline soil suits the tobacco plant, and I have very little doubt that tobacco could be grown profitably in many parts of British Columbia [Hon. Holbrook—It is grown]; but the excise duty.

When we come to lumber we find that there is an export duty on logs of \$1 per 1000 feet: this will affect the spar business. [Hon. Barnard—No, it will not affect spars; the duty is upon logs only, which is cut into lumber, and is a protection to Canadian Lumber Mills.]

I have now, Sir, given you reasons why the general interests of the Colony will not be promoted. Farmers, Brewers, the Lumber Trade, and the Fisheries will not be benefited; who will? Canada will take no coal nor lumber from us, and will not increase our trade at all; but they will take our money, and much of that money derived from the very fact that we have to pay more for Canadian manufactures than the Eastern Provinces, or rather we are obliged to pay duties upon foreign articles, simply because we cannot obtain Canadian, and yet we are told that Confederation will reduce our taxation. Our Tariff is as low as that of Canada, save upon spirits and tobacco.

It would be absurd for us to sacrifice our interests in order that laws may be made for us by a people who know little of our condition and wants, and who in fact must necessarily legislate for the greater number—the people of the Atlantic Provinces. It is dangerous to place ourselves at the disposal of superior numbers.

I believe, Sir, that we are quite capable of making laws for ourselves.

If we are united, or rather absorbed, everything will centralize in Canada, and the whole country will be tributary to Canada. The number of Representatives sent to Ottawa from other places would overwhelm the number sent from British Columbia. Even in the matter of appropriations, where the scramble always is, this Colony would be overborne: we should be laughed at by the victors for our pretensions. It is the case in all other Colonies, and would be here.

It is absurd to suppose that the same laws, whether civil, commercial, or industrial will be found equally advantageous to all parts of this great Continent. It manifestly cannot be so; the conditions are different. We know what is best for ourselves, and are able to legislate to effect that. We have no wish to pay Canada to do our legislation.

No union between this Colony and Canada can permanently exist, unless it be to the material and pecuniary advantage of this Colony to remain in the union. The sum of the interests of the inhabitants is the interest of the Colony. The people of this Colony have, generally speaking, no love for Canada; they care, as a rule, little or nothing about the creation of another Empire, Kingdom, or Republic; they have but little sentimentality, and care little about the distinctions between the form of Government of Canada and the United States.

Therefore no union on account of love need be looked for. The only bond of union outside of force—and force the Dominion has not—will be the material advantage of

the country and pecuniary benefit of the inhabitants. Love for Canada has to be acquired by the prosperity of the country, and from our children.

I say, Sir, it is absurd for us to ally ourselves with a people with whom we have, and can have, no communication. The Tariff and Excise Laws of Canada will ruin the dominant interests of this Colony, and we are told that those laws must rule according to the conditions of the "British North America Act." A Tariff perhaps excellent to the Eastern Provinces, is ruin to British Columbia. Our Tariff imposes a large duty on spirits, and a duty on agricultural produce. The Canadian Tariff imposes none on agricultural produce, and a small duty on spirits.

If we are Confederated with Canada we become its tributary, and in all that concerns us chiefly Canada has to act for us. In all our chief concerns, commerce, shipping, and mercantile laws, agriculture, trade, navigation, fisheries, currency, banking—Canada rules. She may tax us to any extent, and in any manner she pleases, so that it is quite possible we may have export duties on gold and coal.

All such things as require money for their performance are left for the Colony to provide; those that require intellect are supplied by Canada.

The expense to Canada is constantly decreasing, her revenue constantly increasing. The expense of the Local Government on the other hand, is constantly increasing, and out of proportion to any increase of its revenue.

Is it necessary that we should pay for the intellect of Canada? Is our own not as good? Do we not know what is best for ourselves? Cannot we do all as well as they? Cannot we pay our Colonial intellect to do our business well, instead of theirs to do it badly?

The very means by which we ought to make our roads are taken from us, so that, as time rolls on, we shall have to provide other taxes, and raise loans for the purpose. The other countries have gone into Confederation with roads ready made, and large loans and large debts.

It is not fair to put this country upon a footing of its present population; on its present income; a future income ought to be calculated upon.

I do not think it wise to ruin the present population for the sake of the future.

Remember that to have a population, that population must be able to live. Confederation will ruin the farmer, and destroy at once the greatest inducement to immigration; will ruin the brewer and the fisheries; do no good to commerce; afford no larger market for lumber, coal, or anything else; in fact do a great deal of harm and no good, save that which is problematical and fanciful.

In conclusion, I have to say that I sincerely trust that our deliberations may result in good, and that whatever may be the issue of this debate, it may be for the good of the Colony.

I accord most heartily with the learned Attorney General in the belief that—

There's a Divinity that shapes our ends,  
Rough hew them how we may.

The Hon. MR. DRAKE, Member for Victoria City, rose and said, Sir, I will move an amendment to the Resolution of the Hon. Attorney General—"That the consideration of this question be postponed for six months." I need not state, Sir, that I have always been opposed to Confederation, I have consistently opposed Confederation on any terms up to the present time, and I do not see any reason now to change my opinion. I do not say that Confederation must be bad for all time, the time may come when it will be a benefit or a necessity; but at present, I do not believe that Confederation would be a benefit to British Columbia. The time has not yet arrived for it. I was sent to this Council as an opponent of Confederation. I oppose it from conviction, and I shall still continue to oppose it.

The question of Confederation has been advocated by certain parties for some years past, and why?

Because there has been a general feeling of dissatisfaction throughout the Colony, a general feeling of pressure from heavy taxation on a daily diminishing basis. The people have been suffering under a desire for change; that is what is at the bottom of this discussion.

Confederation has been discussed outside, in the public press, and in other places, and now after years of agitation by secret and unknown partizans, it has cropped up in this Council as a Government measure. I know, Sir, that I have no chance of carrying this amendment. I have not the slightest hope of carrying it, but I move it with the view of bringing the question fairly before the public. I should deeply regret that this Council should be able to bind the Colony for ever. The question is one of the greatest magnitude, greater by far than any other which has ever come before this Legislature. I am glad that it must hereafter be referred to another Council, the majority of whose members will have to come before the people for election. I think, however, that it is waste of time to bring this measure before this Council.

There are some points in Confederation, I admit, which are worthy of consideration, or would be under different circumstances. The idea of consolidating the British Possessions on this Continent, is an idea which is likely to carry people away. The idea of assisting to found a large and wide spreading country might be dazzling to some. But if we are to be turned over to Canada with no change in our form of Government, no alteration in the management of our political affairs, where is the advantage of any change. It will simply be a change from "King Stork" to "King Log." The Officials will be chosen by the Dominion Government instead of the Crown; we should be transferred from the rule of Statesmen at Down-



ing Street to that of Politicians at Ottawa. ["No, no," from Mr. DeCosmos]. All our political rights will be taken away, the whole of the legislation will pass out of our hands into that of the Dominion at Ottawa; those laws upon which we shall be entitled to pass an opinion, will be much of the same nature as those upon which a municipality or vestry may vote; but which are beneath the dignity of a Colony. All power of raising taxes, except as the Hon. Member for the District reminds me, for provincial purposes, we shall be subject to the provisions of the Organic Act, which we have no power to change. Any terms which we can impose, must be subject to the provisions of the "British North America Act." My position, therefore, is correct, when I say that our power will not exceed that of a municipality. We are told that we are not fit for Representative Institutions or Responsible Government. Then we shall go into the Dominion as a Crown Colony—bound hand and foot. The few Members that will represent us at Ottawa, will not have the power to do anything for us. I do not trust the Politicians of Ottawa. I do not desire to give them the power to raise money upon our vast and rich territory, whilst we should get nothing from Canada in return. I would rather remain as we are, with some change and modification in our Government.

I admit that Confederation offers great advantages to those Provinces which are contiguous to Canada; there they have a mutuality of interests; they are able to use the products of the Dominion; they have community of interests; and there is no extent of wild, unsettled country between them and the seat of Government. We are divided by upwards of 4,000 miles from Halifax, 2,000 of which is an unknown wilderness. Some explorers who have travelled by that route say, that the greater part of the country is alkaline and unfit for settlement. There is, no doubt, a large tract of fertile land in the valley of the Saskatchewan, but much of the intervening territory is unknown. I ask, Sir, is not our position as a territory of Great Britain, far in advance of what it would be as a Province of the Dominion? Will not the change operate disadvantageously?

We know that our interests can hardly conflict with those of Great Britain; can we say the same as regards the Dominion. Canada is hampered by her vast territory, and the larger that territory becomes, the greater her weakness will be. But, Sir, I ask of what use is this vast territory, unpeopled and uncultivated. Canada wants population and capital, this Colony wants the same. Upon looking at the returns of population, I find that two-thirds of the emigrants go over the border to the United States, and many native-born Canadians go to the United States, because they find there a more genial climate, and more work to do. If Canada teemed with population like England, where people cannot find work for their hands to do, I could conceive it likely that

we might acquire population through Canada, but I cannot see how we can gain population unless a Railway were not only commenced, but in such a state of progress as to be a means and inducement for population to come into the country, and this is not likely, in my opinion, to be the case. I have listened to what my Honourable colleague has said about the agricultural interests, and I entirely coincide with him. Our farmers cannot compete with the farmers of the United States, under the Canadian Tariff. In the United States, farmers are able to get everything that they want within their own country, whilst here everything comes from abroad. Until the farmers of this Colony can make everything that they require for their own use, they cannot compete with those of the United States. We can always import American goods, even under a heavy duty, cheaper than Canadian goods, and this, Sir, will put this Province under a different condition as compared with other Provinces.

Let us then suppose this Confederation scheme carried out; we will consider the sacrifice completed, the victim decorated with the conditions which have been graciously accorded by the more powerful contracting party. What will become of our farmers? I refer more particularly to the farmers of the Island and of the Lower Fraser. This class I look upon as the bone and sinew of the country. They, Sir, I say, will be driven out of their own market by the cheaper productions of the States. And, I would ask, what industry it is supposed will take the place of agriculture? Moreover, Sir, I would ask if we be confederated upon these terms, what guarantee has the Colony that the terms will be carried out? We all know that when compacts are made between a large and a small power, the larger can break the treaty with impunity when an emergency arises. Would Canada hesitate, in the event of having to repel a Fenian invasion, to abandon the Railway. We have no guarantee that the Dominion will carry out the terms to which her Statesmen may agree. We may be abandoned at any time. The benefits of the larger Provinces of Canada, will always take precedence of those of British Columbia, whose Representatives will be in a small minority. And I would never consent to Confederation on any terms without an Imperial guarantee that the terms would be observed and kept. History tells us that in a compact between a larger and smaller country, the smaller must go to the wall.

I sum up my objections to Confederation in a few words:

At the present time, I think that any terms will be inimical to this Colony, on account of our distance from Canada; on account of the smallness of our population, for we never can have an equal vote in the Dominion Parliament with other Provinces; on account of the danger of our farming interests being killed and crushed; and on account of the unsettled state of the intervening territory; and even if the North West Territory were confederated, what advantage would it be to us?

Our Confederation would be a source of weakness to Canada, and to ourselves.

We are so far separated from Canada, that she can only communicate with us by telegraph through the United States, and by ships round the southern extremity of the American Continent.

We are told that Confederation is an Imperial necessity. We have nothing to do with this. We must look to our own interests. Confederation is a political idea; it may be part of the Imperial policy, but what of that. We are told that Great Britain desires to get rid of all her Colonies.

These are serious matters for consideration, and this question ought not to be dealt with as a party measure. I offer these remarks in the hope that any legislation which may result from this debate, after it has received popular sanction, may be enduring and of advantage to the Colony.

The Hon. MR. RING, Member for Nanaimo, said—Mr. President, I rise to second the amendment of the Hon. Member for Victoria, and in doing so I abstain from dealing with the merits of the question. It appears that the Governor wishes to have a popular vote upon the question of Confederation. I say then, let there be an extended suffrage given, so that the voice of the people may be heard in this House. I hope that the people will have the opportunity of expressing their opinion, Aye or No, whether they will have Confederation. The people should not be bound by what occurs in a Council constituted as this is.

I say, Sir, that the material question for decision, is not that of terms. The Government, if this amendment is carried, will have the opportunity of hearing the voice of the people. On behalf of my constituents I say they do not want Confederation, they believe that it is undesirable at present. The proper way to find out the opinion of the country, is for the Governor to give us the enlarged representation promised. Let the question come before the people in a fair way.

I do not desire to go into the general question of terms of Confederation upon this occasion. But I must say, Sir, that these resolutions are not based upon the minds of the people. I protest, Sir, against the people's name being mixed up with those resolutions. I reserve what I have to say on the question of terms, and support the amendment of the Hon. Member for Victoria, in order that the people may have an opportunity of passing their vote upon the question of Confederation.

The Hon. MR. HUMPHREYS, Member for Lillooet, moved the adjournment of the debate. Withdrawn.

The Hon. MR. ROBSON, Member for New Westminster, rose and said:—Sir, I had intended to reserve any remarks that I intended to offer until the terms submitted by the Government were under debate in Committee, but I have an objection to the adjournment of the debate at this early hour. I cannot, however, allow certain expressions which have fallen from the Honourable the

senior Member for Victoria City to pass unnoticed. I believe the question for us to consider is,—Shall we have Confederation, and upon what terms?

I believe this House is ready to say Aye to the first question, and to go into Committee of the Whole on the second.

I am surprised to find an Honourable Member of this House, who is a Cabinet Minister, expressing his regret that this measure has come down to this Council as a Government measure. I think that the freedom of his remarks contradicts the idea that it is a Government measure, in the sense that Government Members must vote for it.

I was also surprised to hear the Honourable Member, who is a Cabinet Minister, say that Confederation would not be the only issue at the polls; but that there was another place besides Ottawa to which we could go. I had hoped that all allusion to this matter would have been kept out of this debate; for I say, Sir, that this vague language can have but one meaning, particularly when it is added that the United States will ultimately absorb British Columbia, and Canada as well. The Honourable Member evidently means,—Shall we have Confederation, or accept, as an alternative, Annexation? As everything that comes from the Honourable member is entitled to great weight, and especially as he is a Member of the Government, I think we have a right to know whether that is really the issue or not. I had hoped that this debate would have been carried through without the necessity of making use of the word "Annexation," but as the subject has been dragged in by a Member of the Government, I trust I shall be pardoned for alluding to it. I say, Sir, that if the Government really means to ask whether the people desire Confederation or another union, let us know it. ["No, no," from the Attorney General and Mr. Trutch.] I am at a loss to understand the position of the Honourable Member for Victoria. I am anxious to have it explained. If he has not represented Cabinet views correctly this House should be set right.

Waiving these matters, and assuming that the Honourable Member will be able to explain the apparent paradox, I pass on to the objections raised. I find the Honourable Member distinctly setting himself in opposition to Confederation. I will not follow him for the purpose of rebutting so-called arguments against Confederation.

The Honourable gentleman tells us that Confederation is unnecessary, that this Colony is one of the richest spots on the face of the earth, with a climate inferior to no part of the world,—why should it not go on alone? And he tells us that this view of the question is taken by the majority of the people of the Colony. Why, Sir, the Colony has had all this opportunity for fifteen years; and what is the fact? Ten years ago the Colony had a very much larger population than now, and very much larger commerce. Are we, then, under these circumstances, to ask the people to wait and work out their own salvation?



But, Sir, in addition, we are told in a State paper, that we are not to be allowed to hang on to the skirts of Great Britain, like a mendicant's child. I can hardly reconcile the position of manly independence with the position of hanging on to unwilling Imperial skirts. Rather than that, I would ask for union with the Sandwich Islands, or with Hindostan. British Columbia has tried long enough to get on by herself. After fifteen years hard struggle, she finds herself worse off than she was at the beginning. Her progress has been like that of the crab—backward.

She might make progress, but, unfortunately, her form of Government has rendered progress impossible. I believe that the illiberal form of Government has had much to do with keeping away population—with *driving* away population,—and with destroying the spirit of manly enterprise of those who are here. Apart from its being the policy of the British Government to unite all the British American Colonies in one great Confederation, if we persist in remaining alone we shall be told by the Imperial Government that we are not fit for liberal institutions, and not prepared for self-government. We should get no amelioration. Downing Street Officials would say that we are not fit for Responsible Government, and that we ought to confederate.

There is no difficulty in showing that Confederation will be beneficial to British Columbia; that is to say Confederation on proper terms. I do not say that Confederation would be entirely satisfactory on the terms proposed in the Government programme. The terms, although excellent, do not go far enough, but I can hardly understand any man taking the position that under those terms, even as they are, Confederation would not be beneficial. The public works proposed would make the population of the Colony double what it is now. No man can conceal from himself, looking at the question dispassionately, that the construction of the Railway alone would bring a very great increase to our labouring and productive population.

We are told that the tariff of the Dominion would crush our farming and industrial interests. Why, Sir, that tariff is a little more than a third lighter than ours, and would relieve us of that one-third of present taxation; and our Customs duties, it must be borne in mind, are taken by the Dominion Government. Although in its present form, the tariff would be ill-adapted to some of our local interests which we desire to protect, it should be remembered that the Canadian tariff is now under revision, as regards the free admission of American productions; and under Confederation we shall in all probability have a treaty of reciprocity; or, if not, certainly a revised tariff which would meet American productions, which now find a free market in the Dominion, with a protective duty. The argument of the Honourable Member with regard to tariff and farming interests is then swept away by that fact. [Dr. Helmcken—"Is it a fact"?]

This subject is one of the greatest importance. All other questions are overshadowed by it. It is the most important one ever debated on the British Pacific. It has been justly said it is a step for life, for better for worse. The question must be approached in a fair spirit, and in dealing with it we ought to be thoroughly honest with ourselves; and in dealing with facts, I hope that allowance will be made for what has been said, for I believe that much of the present opposition arises out of ancient prejudices. Why do we find an Honourable gentleman who has grown grey in the service of his country, and for whom we have respect amounting to veneration, talking of centralization of every interest under Confederation at Ottawa? Does the union of Washington Territory and Oregon, with other States of the Great Republic, mean centralization at Washington? [Dr. Helmcken, "Yes."]

Then, Sir, where would be the advantage of union in that other direction that has been alluded to? Certain persons are fond of talking about the advantages of Annexation; all arguments in its favor can be brought with redoubled force in favor of Confederation. British Columbia as a member of the union would have a Pacific frontage, but only in common with other countries of the Union. As a part of the Dominion she would have more, for she would be the only outlet of the British Confederacy on the Pacific Coast.

Exception has been taken by the Honourable Gentleman to the fishery laws of the Dominion; and it is said that the whales and salmon will cry out for Confederation to protect them. If the Canadian fishery laws were enforced in their present form, it is possible that the salmon might escape, and the whales might spout with impunity; but we have a right to expect that the Dominion Parliament will adapt these laws to this Colony, on the representations of the Members from this Province. It would be absurd to suppose that, if the fishery laws of the Dominion were inimical to British Columbia, they would be enforced; the nature of the union will be such as to make the interests of this part of the Dominion identical with other parts. We cannot suppose that the Dominion Parliament would seek to injure this Province. A man would not wantonly injure the smallest member of his body. He could not do so without feeling it. No man can neglect or injure any member of his own body with impunity. If one member, however humble, suffers, all the members will suffer with it. Community of interest is the best guarantee for fair play to every section. The Dominion is made up of Provinces, and the prosperity of the Dominion means the prosperity of the Provinces of which it is composed.

If we could believe that the Government of the Dominion were composed of men of so little wisdom as the opponents of Confederation seem to think, I would say do not let us join them. But I believe, Sir, and the Imperial Government believes, and British Columbia believes, that the Government of

the Dominion is composed of statesmen. And I say, Sir, that since these statesmen have grasped the great idea of Confederation, they have proved themselves fit to govern an empire. I am surprised to find any Honourable Member venturing to suggest that Canada either could not, or would not, fulfil her pledges. The Dominion Government is one and the same in this matter with the Imperial Government. The Imperial Government stands at the back of the Dominion Government, and will be equally concerned in the fulfilment of the stipulations in their integrity; and it is time to impugn the honor of Canada when she refuses to keep the terms. With regard to Nova Scotia, a departure was made from the terms of Union. The Imperial Government, and the Canadian Government, considered that certain concessions ought to be made, and they were made, but only to add to the terms in favor of Nova Scotia. British Columbia places herself in a false position before Canada, and before the world, in saying that there is any doubt as to whether the Dominion would fulfil the terms.

With regard again to the tariff. I think that the only arguments against Confederation worthy of consideration, are against the present Canadian Tariff. The Customs Tariff is a federal matter, and I confess that the arguments against the applicability of the present scale to British Columbia, are entitled to notice: but, Sir, as I said before, I think these arguments are to a great extent met by the fact that we shall have an amended tariff, or a reciprocity treaty. But if we could hit upon some scheme that, without infringing the Dominion prerogatives, would meet our requirements, it would be most desirable, and shall have my hearty support.

In conclusion, Sir, the Government measure shall meet with my hearty support, so far as it goes.

It affords me unspeakable gratification to find that Government has sent down a measure for Confederation which can hardly be cavilled at.

While feeling pleasure in giving a hearty general support to this measure, I shall reserve to myself the right to suggest that other items shall be placed in the list now before the House.

I believe there are terms of the greatest importance which ought to be added. But anything that can be added will not meet the wishes of the people of this Colony, unless the fundamental principle of Self Government accompanies them. I believe that the Canadians are a great, a wise, and a conservative people; but I conceive we should be doing a great wrong to ourselves, to our children, and to those who are to come after us, if we left out Responsible Government.

Suppose, Sir, the case of three persons forming a partnership; if the third partner, coming in subsequently, should consent to leave the management of his private affairs to the firm, he would not only be giving up

his own rights, but he would be throwing into the partnership a great element of discord. I say then that while Canada necessarily and properly asks us to surrender the larger questions, she does not ask us to relinquish our smaller and local rights, and if we give them up we shall be doing a wanton thing and a great wrong.

In promising my support, therefore, I make this reservation. That, if this Colony is to become a Province of Canada, the people of British Columbia shall have the right to manage their own local affairs as fully as every other Province has. For, while I agree with the Honourable Junior Member for Victoria, that the change from Downing Street to Ottawa would be useless without a change in the system of Government, I say that it would be most injurious to go into Confederation upon terms which might inaugurate a fresh era of political agitation, which would probably continue for a series of years.

HON. MR. HELMCKEN—Sir, I rise for the purpose of explaining.

I deny that I uttered any such thing as that the choice would be put to the people by the Government between two issues of Confederation and any other union.

But that if the Canadian Government refuses to agree to terms equivalent to these, but chooses to offer some mean terms for consideration, when it comes to the polls the people themselves will raise the issue between Confederation and the only other change which offers itself for consideration.

The Debate was here adjourned until Thursday, at 1 o'clock.

#### Thursday, 10th March, 1870.

The debate was resumed by the Hon. MR. TRUTCH, Chief Commissioner of Lands and Works, who said:—Mr. President, in rising to renew the debate on the question which has been brought before the House by the Honourable the Attorney General, I desire to express my regret that I was prevented yesterday, by indisposition, from speaking in support of the motion which I had the honour to second, because I fear that by the delay I may have laid myself open to the charge of waiting to reply to objections that might be urged against this motion, instead of at once supporting it upon positive and substantial grounds, as I hold it to be incumbent on those to do who advocate so important a measure. I must also ask the indulgence of the House if I find it necessary to follow the Hon. the Attorney General over ground already so fully and ably occupied by him, as rather than leave out anything in the history of this question which is pertinent to my argument, I will run the risk of laying myself open to the charge of plagiarism. In the first place, then, I must ask you, Sir, to allow me to trace the history of Confederation in this Council as shewn in the debates which have taken place on the



subject. You will find, Sir, that this subject was first introduced into this Council on the 29th of March, 1867, when a Resolution in favour of the abstract principle of the Confederation of the British Provinces in North America, and expressing the desire that this Colony should be allowed the opportunity of entering the Dominion, upon fair and equitable terms, at some future time, was unanimously agreed to. I do not quite take the view of the Honourable the Attorney General with respect to the discussions that have taken place on this question; for, Sir, I think that the question is now for the first time brought before this House and the country in a practical shape, for a full and deliberate expression of opinion. The vote which was taken in 1867, according to my understanding of it at that time, went no further than to express a desire on the part of the Colony to be confederated with Canada, when a favourable occasion should arrive, and the result of that vote was, I believe, the insertion of the clause in the "British North America Act," on which the measure we are now discussing is based. Again, in 1868, when the Hon. Member for District No. 2, introduced a series of Resolutions setting forth terms on which this Colony should be united with Canada, the sense of the House, as then expressed, was that we were not possessed of sufficient information to enable us to come to any practical resolution on the subject; and, Sir, when the terms and conditions then proposed for the consideration of the House are compared with those now submitted for your adoption, no words are needed to show that the conclusion then arrived at was judicious.

Last year, again, the subject was introduced by the Hon. Dr. Davie, to a reluctant House. We all felt that there were circumstances which rendered its discussion then in this Council inexpedient, although the question of Confederation was even then occupying public attention to an absorbing extent, and had in fact been the test question at the elections a short time previously in the Districts in this part of the Colony. But certain remarks of the Hon. Member for Cariboo, in reference to the position of Government Members on this question, compelled the expression of the views of the Council on the subject at that time, in a Resolution pointing out the practical impossibility of the Union of this Colony with Canada, until the North-West Territory was amalgamated with the Dominion.

But now circumstances are entirely changed. The Hudson Bay Company's rights in that region, known as the North-West Territory, are determined by purchase, and that country is practically part of the Dominion of Canada, for the temporary opposition from a certain class of the population of the Red River Settlement, to the assumption of the Government by the Canadian authorities is passing away, if not by the present moment virtually at an end; and treating that ebullition of feeling resulting from misapprehension of the real intention of the

Dominion Government as passed away, I regard it as an established fact that, as stated in Lord Granville's Despatch, our boundaries are now conterminous with those of Canada.

But not only is Union with Canada now practicable, but, Sir, I regard the present as a most opportune moment for its consummation. I entirely agree with Hon. Members who say that this Colony requires a change. In its present depressed state, the Colony needs assistance and fresh impetus. There are many causes which combine to contribute to the depression now observable in the country. It has been attributed to the present form of Government. Take that as one cause if you please; but, Sir, I believe it has had very little effect, if any, in producing this result, and you will find many other and mightier reasons to account for it. Chiefly, I believe with the Hon. Attorney General, that this depression is attributable to the isolated position of the Colony, and to the cold shade thrown over us by the neighbourhood of the Territories of the United States, from whom we can never hope for aid in advancing the interests of this Colony whilst under the British Flag. The desire for some change is urgent, and if we wait for more prosperous times, under which to claim better financial terms, we may realize the old proverb of the "Horse starving whilst the grass is growing." Besides, Sir, on reference to the terms now proposed for the consideration of this House by the Government, it will be found that they are based not altogether on the present condition of the Colony, but somewhat on an anticipated increase of population and prosperity; and I suppose we might wait many years before such a measure of prosperity would accrue to us, as to entitle us to ask better financial terms than are included in these Resolutions.

I believe the time, then, to be opportune, and I think that there is every reason to suppose that the present Government of the Dominion is now desirous and ready to grant us fair and liberal terms.

I believe, Sir, the Canadian Government are favourably disposed towards us, and prepared to go to the utmost of their ability in all reasonable matters to enable us to join the Confederation. The policy and wishes of the Imperial Government too in the same direction are clearly enunciated in Earl Granville's despatch; and we are fortunate in having now at the head of the Executive a Governor admirably adapted by his ability and experience to take charge, on our behalf, of negotiations for our union with the Dominion, and to whom the interests of the community may confidently be entrusted.

And that brings me, Sir, to this point. That in its first introduction into this Council, this measure must necessarily be a Government measure. The constitution of this House renders it imperative that the initiatory steps should be taken by the Government, although the final acceptance

of the terms will properly rest with the people. The policy of the Imperial Government has been clearly stated: it encourages us to amalgamate our interests with Canada, and points out the advantages to be thus obtained, and nothing that I could add would enunciate more clearly than that document the grounds on which Her Majesty's Government, on behalf of this Colony, favour Confederation.

This leads me to remark on the part that has been taken in reference to this question by the Official Members of this House, especially by the Executive Officers. Our position has been misapprehended, or if not misapprehended, it has been misrepresented, and I feel it my duty to allude to the false impressions which have been spread abroad on this subject. It has been stated that the Official Members have been obstructive to Confederation, with regard to their own official positions and interests. But this is not the fact. On a matter so clearly involving a question of Imperial policy, we were not at liberty to anticipate the views of the Home Government, which have now for the first time been distinctly made public. The Hon. Attorney General and myself have consistently affirmed the principle of Confederation; and we have always felt that we could safely confide our personal interests to the care of the Imperial Government, whose servants we are. To Her Majesty's Government those interests are entrusted by the Resolutions proposed for your adoption; and, Sir, we are well satisfied that this question as it affects us personally should so depend. We have been right, Sir, I believe, in not anticipating the views of the Imperial Government, for the terms of union now submitted for your adoption prove the wisdom of the course which we have pursued; and in the exercise of caution we have shewn ourselves the truest friends of the Colony, even though we have not appeared to be the most enthusiastic advocates of Confederation.

This, then, is a Government measure, as the Honourable the senior Member for Victoria City has told you; and as I hold it is of necessity a Government measure. This scheme is propounded by the Government, as the guardians of the interests of this infant Colony, and I stand here as a member of the Government to support the Resolutions which are now before you; and I sincerely trust that they will be adopted by this Council. But His Excellency has told us that the ultimate acceptance or rejection of the terms of union with Canada, after they have been submitted to the Dominion Government, shall be left to the popular voice of this Country.

I will now, Sir, come to the consideration of what Confederation is in the abstract, as I understand it. It is the union and consolidation of British interests in British Territory on this Continent, for the security and advancement of each Province individually, and of the whole collectively, under the continued support of the British Flag. A

great idea of great minds, which have thus given a practical refutation to that doctrine of "America for the United States" known as the "Munro doctrine," held by leading politicians of the States south of us; and on this account, if on no other grounds, the principle of Confederation deserves the support of every British heart in the Colony.

I am now brought to a subject which I should not have known how to approach, but for the bridge thrown over for me by the Hon. Member for Victoria yesterday. By that Hon. Member the suggestion of a closer union with another country—with the United States in fact,—and the possibility that at the next General Election such an union might be presented as an alternative to Confederation with Canada, was introduced in so palpable a manner, that I should feel myself derelict to my duty as a Member of the Executive and as a Member of this Council if I did not refer to it.

Mr. President, I should do violence to my best feelings were I to refrain from availing myself of this opportunity of paying my humble tribute of respect and esteem for the people of that great Republic. ["Hear, hear," from all sides.] No one can better appreciate than I do the high and eminent qualities which characterise that great Nation, and especially that national feeling—that love of country, so worthy of our imitation—for which they have made such sacrifices. It has been my fortune to pass several years in the United States, and to have formed there some of the most valued friendships of my life, so that my acquaintance with Americans has led me to form a most appreciative estimate of their social and domestic relations, of which I can not speak in terms of too much praise. But my experience of the political institutions of that Country only led me to prize our own more highly, and made me more than ever an Englishman; and I rejoice at the opportunity now afforded me of raising my voice against any movement tending in the direction of incorporating this Country with the United States.

I must now make passing allusion to a petition gotten up in some mysterious way, looked upon here at first as a mere joke; so insignificant that it would not be worthy of notice but for the use made of it elsewhere. It has been represented in other quarters as expressing the views of a great portion of this community. It has been so represented in very high quarters, and I therefore notice it; and in doing so I feel compelled to state that, so far as I could learn, it was signed by a very small number of people—forty-two I believe in all—many of whom were aliens, and most of whom were foreign-born subjects, and who appear to have been generally actuated by prejudice, based upon a lack of information respecting Canada and the Canadians, and not by any regard for the permanent benefit of the community. But as this petition has been followed up by the publication of letters and by a discussion in the newspapers, which we cannot blink, as



to what has been termed the Annexation of this Colony to the United States; and as allusion was made to it, by an inuendo at all events, in this Council yesterday, I feel bound to express my opinion of what our position would be under any such union as has been hinted at.

If British Columbia were placed in the same position as Washington Territory, we should be absolutely without representation—for that Territory has one representative in Congress—it is true, but he has no vote—and all our Officials would come from Washington. Annexation to the United States would also entail on us largely increased taxation, and would most materially affect an interest which the Hon. Member for Victoria told you would suffer most from Confederation. Why, Sir, under the union suggested, our farmers would be brought into direct competition with the farmers of Washington Territory and Oregon, and then our agricultural interests would be indeed annihilated. Again, if this country were American Territory you would have the whole influence of San Francisco brought to bear against the mercantile interests of Victoria; no hope could we have of building up a port here to rival San Francisco; no, Sir, you would never see a foreign vessel in these waters. I see no advantages in the suggestion; I have heard none pointed out, unless it be the questionable expectation that American capital might buy up the real estate in and around Victoria, and so give the present holders the opportunity of realizing their property into money and then leave the country to its fate. But in this hope, Sir, I believe they would be egregiously disappointed. I will not pursue the subject any further; Annexation is entirely out of the question, and I should not have dared to allude to it, but for the introduction of the subject by another Honourable Member yesterday. What do these foreign petitioners propose to transfer? Themselves? Their own property? No; not themselves, nor that which belong to them, but the whole Colony, the soil of this vast domain which belongs to the Crown and the people of England; this I regard as treasonable. In supporting Confederation I support the flag I serve. I say that loyalty is no exploded idea, call it a sentiment if you will; life is nothing without sentiment; everyone whose soul is not dead must cling to love of Country and attachment to her flag, as one of the most cherished sentiments of the heart, and I regard loyalty as one of the most deep-rooted and highly prized treasures of the human breast. ["Hear, hear," from all sides.]

Bear with me, Sir, while I tell now what I think Confederation is not. I don't think it necessarily means Responsible Government, or, as an Honourable Member at the other end of the House has put it, that it means getting rid of Government Officials. If that Honourable Member's desire is to be rid of the present incumbents of office so that others may take their place, I think it probable that his wishes in this respect may be

gratified through Confederation; and in that case I could only hope that the change would be beneficial to the Colony. But I doubt much if this measure would receive support from this Council on those grounds; and at all events the Honourable Gentleman cannot expect much sympathy on that score from this side of the House.

Again, Confederation does not, to my mind, mean Responsible Government, as some Honourable Members hold. British Columbia will assuredly get Responsible Government as soon as the proper time arrives, as soon, that is to say, as the community is sufficiently advanced in population, and in other respects, to render such a form of Government practically workable; sooner probably through Confederation, than by any other means, and the sooner the better I say. But I do not think it desirable to fetter or cumber the proposed terms of union with anything about Responsible Government, and specially for the reason that we should find it very difficult to arrive at any conclusion in favor of it. Great difference of opinion exists upon the subject even around this Council Board, and I am by no means sure that the strongest opposition to Responsible Government would come from the Government side of the House. It is easier to change the constitution after Confederation than before. ["No, no."] Under the Organic Act, this Colony could get Responsible Government. In fact it is the special prerogative under this Act, of each Province to regulate the constitution of its own Executive Government and Legislature; and whence this desire to act so prematurely now in this respect?

Another Honourable Member has told you that in his opinion Confederation means the terms—means a Railway; but I take it, Sir, that the terms proposed result from Confederation, and that the railway is a means to the end, for we cannot have real Confederation without a Railway. But, Sir, I advocate Confederation on principle; and I believe the terms to be the natural result of Confederation. They flow from it as a natural consequence, as the effect proceeds from the cause. I believe that by Confederation, we are to gain those advantages which are set forth in the terms.

If it could be shown that by acceptance of these terms we should in any way sacrifice our honour—lose any political status that we now enjoy, I would not support Confederation if it brought a dozen Railroads. But I believe that each member of this community will be raised by the change. We shall have a distinct and very respectable representation in the House of Commons and Senate. We shall have as representatives there, men whose voice will be heard, men whose duty it will be to speak for us. Far from entertaining the views expressed by the two Honourable Members for Victoria, I am inclined to think with the Honourable Member for New Westminster, that this Colony will have its due weight and influence in the Dominion, that its representatives will be

heard and listened to in the Canadian Parliament, and that this will be a favored portion of the Confederation, when admitted, on account of its position as the outlet of Canada on the Pacific. I do not, then, advocate Confederation specially on account of the terms. I find in its general merits ample grounds for support, and I consider, as I have said, that the terms follow as a matter of course.

The Honourable Member for Victoria has said that we are bound to prove the benefits. It is difficult to prove any thing to some minds. The benefits of Confederation are among those things which being in futurity we cannot prove. I cannot prove that which has not happened. We can only rely on human judgment and experience, and argue that such and such things will occur, as certain causes will produce certain effects. I, and other Official Members of this Colony, have a considerable interest in this Council; I have to a certain extent identified myself with it and its concerns for some years past, and speaking as an individual Member of this Council, if I did not believe that Confederation would prove advantageous to this Colony, and redound to the benefit of our local interests, I should not support it by my voice. I might as a Government servant vote for it as a Government measure, but I should not be standing here to speak for it and to advocate it as heartily as I do. It is hardly possible to show where the Colony will be benefited by Confederation, without discussing the terms, which is not my present intention to do, but I promise Honourable Members that if these Resolutions get into Committee, I will fully satisfy them of the local advantages that must accrue to the Colony from union with Canada, on the terms proposed in these Resolutions.

I believe, Sir, that many of the objections which have been raised to Confederation have arisen from prejudiced feelings. I have no reason to be prejudiced against or partial to Canada. I believe that Canadians as a people are no better than others and no worse. I have no ties in Canada, no particular reason for entertaining any feeling of affection for Canada; and if I did not believe that the advance which we make will be met in a becoming spirit, ["hear, hear,"] then I should be of opinion that Confederation would be nothing more than an union on paper, one not beneficial to this Colony or to Canada. There are Statesmen there, Sir, who know that it would be useless to try to beat us down on terms, for what would be the use of Confederation if it afterwards turned out that this Colony was injured, rather than benefited, by it.

The Honourable Junior Member for Victoria asks what guarantee have we that the terms will be carried out. I say at once, Sir, that if the terms are not carried out, if the Canadian Government repudiate their part of the agreement, we shall be equally at liberty to repudiate ours. [Dr. Helmcken—"How?"] We should, I maintain, be at liberty to change; but I for one do not approach this

subject with any such feeling. ["Hear, hear," from Mr. DeCosmos.] There are always two sides to a bargain, and if the terms which are frankly and honestly proposed, are not fairly and honourably dealt with, we should in my opinion be at perfect liberty to draw back.

There is, however, one real and practical objection which has always suggested itself to my mind, from the first; and that is, that the same measures that apply to the circumstances of Canada, such as tariff, will not apply equally in all respects to this Colony. It will be asked, then, why is there no suggestion as to some alteration or modification of the tariff in the terms. The reason is somewhat similar to the reason for the omission of all mention of Responsible Government. You would find it very difficult to come to any conclusions on this subject in this Council. It is impracticable to define now positively what precise tariff would best suit this Country. Some favour a Free Port. I should be inclined to favour it myself if I believed it practicable. Some, on the other hand, say that we must have protection to agriculture, and that without it we cannot compete with the farmers of Oregon. This point was fully discussed in the Executive Council, but it was decided to omit any conditions for the regulation of Customs dues from these terms; and I do not think that this measure ought to be complicated with the tariff question. I believe that we may safely trust this people with whom we are about to negotiate, to do as much for us in this direction as we could do for ourselves; it will be to their interest to do so. It requires no argument to show that it will be to the interest of Canada, after Confederation, to advance the prosperity of this Country. If it be possible to adopt a special tariff to this part of the Colony, and I see no reason why it should not be adopted, I confidently hope to see such a special tariff arranged under Confederation. ["Hear, hear," from Mr. DeCosmos.] Rely upon it, Sir, that there are Statesmen in Canada who have a far wider and longer political experience than Members of this House, and who would be able to point out many means of prosperity, for which we are looking with so much anxiety,—powerful minds, before which I feel humbled,—men who I cannot for a moment suppose would fail to see as plainly as we do that Confederation would be of no benefit to Canada unless it redound to the advantage of British Columbia. This requires no argument, it is perfectly plain common sense.

If we are not to have Confederation, what are we to have? What is the proposition of those who oppose Confederation? The people of this Colony have been, for a long time past, asking for a change, and it has been the policy of those who ask for change to throw the blame of everything upon the Government. The policy of the Imperial Government on this matter is clearly expressed in Earl Granville's despatch. He does not say you must confederate, whether you will or



not; it is left to the people to decide this question for themselves; but he says virtually "You have for years been asking for a change, you complain that your present form of Government does not suit you; we point out for your consideration Confederation, which, if it suits you, we favour; the Government of Canada is ready to step in and assist you to carry out your views for the advancement of your local interests." Now, Sir, I say to this Council,—If you don't want Confederation, what do you want? To remain as you are? This I know you are not satisfied to do. What then? Establish a sort of Independent Government of about 6,000 people, connected with nobody, owing allegiance to nobody? The idea is absurd. There appears, then, to be no alternative to Confederation, but that suggestion which has been shadowed forth during this debate, and which I for one decline to consider as a possibility.

And so we come to Confederation as our manifest destiny.

To sum up my argument in support of the motion of the Hon. the Attorney General. I advocate Confederation because it will secure the continuance of this Colony under the British Flag, and strengthen British interests on this Continent; and because it will benefit this community, by lessening taxation and giving increased Revenue for Local Expenditure; by advancing the political status of the Colony; by securing the practical aid of the Dominion Government who are, I believe, able to—and whose special care it would be to devise and—carry into effect measures tending to develop the natural resources, and to promote the prosperity of this Colony; and by affording, through a Railway, the only means of acquiring a permanent population, which must come from the East of the Rocky Mountains.

The Hon. MR. HOLBROOK said:—Sir, In rising to continue this debate, after the able speech of the Hon. Chief Commissioner of Lands and Works, I feel that there is little left for me to say, as when we go into Committee I shall have an opportunity of expressing my opinion upon the terms; and it would be factious to oppose a measure which has to come before the people for their decision. The way, Sir, that I understand the question of Confederation to stand at present, is that it is not a mere abstract question of Confederation with Canada, but a question of certain terms which have to be laid before the people; therefore, I say that any opposition against this being done would be factious. As regards myself, I shall abide by such decision, whatever it may be, as I consider the people themselves are the best judges as to whether they will benefit, or otherwise, by becoming part and parcel of the Dominion of Canada. This matter has evidently been well considered by the Executive Council, most of whom are largely interested in the welfare of the Colony, and several of them have been as much opposed to immediate Confederation, when the question has been before this Council on other occasions, as I have been. But having had an opportunity of seeing the documents

which have come from the Imperial Government on the subject, the Executive have arrived at the decision that it is best for this question to go to the country, upon the assumption that the people will ask for Confederation to be carried out on certain terms; therefore, I say, Sir, let it go to the people and settlers of the Colony, and by their verdict let be decided. Earl Granville has sent out a despatch which states, in pretty plain terms, that we were not able to govern ourselves; and there was, perhaps, more truth than poetry in this; for we have had the greatest liberty granted to us, and yet we have not been content. Our Gold Mining Laws have been made by the Mining Board; we have had the most liberal Land Laws; and if we have had a want that the law could satisfy, it has been immediately granted.

Our Officials are an honour to the country. As an Englishman, I am proud of them. Justice has been properly administered in the country; there has been absolute security to life and property; so much so that a man can travel in perfect safety from Cariboo to Victoria, and capital can be safely invested in any part of the Colony.

We have excellent roads, and one of the richest spots on the whole earth, for our Colony, whether as regards mining wealth, or agricultural resources; and yet a petition has emanated from a small body of foreign residents in the City of Victoria, asking to be annexed to the great Republic adjoining. I am well aware, Sir, that, as has been well said by the Hon. Chief Commissioner, the petition was paltry and unworthy of notice, and that those who signed it were insignificant; and I may be allowed to say that we of the Mainland had no feelings in common with them. If it were within reason to contemplate the possibility of the occurrence of such an alternative, it might be worth while to point out its disadvantages, and to show that under it we should not even have representation, as without a certain population, which we have not, we could not elect a member, and we should fall back to what Washington Territory and Oregon were in the days before this City of Victoria was brought forward by the Fleet, to the encouragement and development of the neighbouring States, equally, or perhaps in excess of the interests of our own Colony. We may say that liberty had run wild, people have actually become dissatisfied because they have had too much of it. I remember a similar discontent with excess of liberty in Paris, after the Revolution of 1848; the people revelled in excess of freedom, and from so much liberty they fell into another Revolution. It is only in a country with such free institutions as England, that such a petition could have been signed with impunity, for if it means anything at all, it did not stop short of treason. In most other countries the signers would have forfeited their liberty; in some that I have lived in, the penalty would have been death. Speaking for the Mainland, Sir, and coming from the Royal Town of New Westminster, I have a right to

speak in the name of its loyal inhabitants. I say that, although Confederation with Canada meets with favour in some quarters, the feeling of the inhabitants are, and ever will be, thoroughly loyal to the glorious flag of Great Britain, and feel proud of belonging to that flag which represents honour, power, justice, and wealth, and which is stainless and untarnished, whether unfurled in the face of an enemy and defended by its sons, or floating in peace over such a Colony as this. We have had our complaints on the Mainland, and we considered the removal of the Capital and centralization of business at Victoria, an injustice to the rest of the Colony, for the reason principally, that Victoria, from its proximity to the United States, draws its supplies thence, instead of from the Mainland, to the gain of the neighbouring States, and consequent loss to the agricultural districts of the Mainland of some \$10,000 annually, in the article of beef alone; and for the reason that, by the Fleet being placed at Esquimalt, we of the Mainland were not only left without protection, but that the agricultural interests of Washington Territory and Oregon were being built up with the money expended by the Fleet in the purchase of supplies, which if spent in the valley of the Fraser would, by this time, have given us there a population of some thousands. The people of my part of the Colony have favoured Confederation, in the belief that the resources of the Colony would receive some consideration from the Dominion Government.

We all acknowledge that population is required, and I think there is no reason to doubt that it will come. I do not attribute the depression, as some Hon. Members have done, to bad Government. We merely followed the course of other gold countries in over trading, and placed all our dependence upon a single mining district, and when we did not find another Williams Creek, so rapidly as we expected, we became disheartened.

But, Sir, I mean to state, and I do so without fear of contradiction, that our natural resources are more prosperous to day than they have ever been before, and I need only point to the 8,000 acres of land taken up last year as an example of real and solid prosperity. We shall acquire population from Canada by means of the railroad, and the large amount of money required for its construction will tend to our prosperity.

Our merchants also want something fixed, that they may not be threatened with constant change, which renders commerce fluctuating and uncertain.

I consider, Sir, that the time is opportune for Confederation for many reasons, amongst others, that there is a favourable opportunity for us, with the aid of Canada, to make arrangements for the reception of some of the emigrant poor, who are now being assisted by the Societies in England to go out to the Colonies. Work could be found for them on the Railway, and by this means much of our valuable agricultural land might be settled up.

I shall reserve to myself the right of opposing some of the terms when they come under discussion, and of asking that others may be inserted. I should be glad to see inserted in the terms a clause empowering our local Government to make her own tariff, so as to protect our farming interests, in a similar manner as, under the Imperial Government, the Isle of Man and the Channel Islands have rights reserved; but I am of opinion that the full tariff of the Dominion should in all cases be charged, and that the local Government of British Columbia should have the exclusive benefit of any extra tariff.

The Indians, also, should be secured the same protection that they have under our own Government. They are now content with us, and with the way in which the laws are administered, and it is quite possible that they may hereafter be a source of great trouble, if they are not considered as well as white men.

I shall hail with pleasure the salmon laws of Canada, spoken of by one Honourable Member, which will prevent the placing of salmon traps at the mouth of the Fraser, stopping thereby the fish from ascending the river, and by that means cutting off the food of the Indians, and taking from them the means of support; but I should much regret to see any laws brought into operation which would grant monopolies, such for instance as in the case of cranberries, which are at present a source of living to many hundreds of Indians.

As regards our defences: we should have the right to have our own forces, as every one would have to serve in the Militia; but so long as English troops are stationed in Canada, we ought, when we become an integral part of the Dominion, to have our share of them. And at no very distant future, I trust that the great scheme of Confederation may be carried out, and that the Dominion may have a Royal Prince at its head, and then may the views of the great Anglo Saxon race as regards commerce and trade become enlightened so that English goods may come into the Dominion duty free.

As we shall from our position on the Pacific Coast, be the key-stone of Confederation, I hope we may become the most glorious in the whole structure, and tend to our own and England's future greatness.

I shall support the motion of the Honourable the Attorney General.

The Hon. MR. WOOD said:—Sir, I rise to support the amendment of the Honourable junior Member for Victoria, to postpone the consideration of these Resolutions for six months. I desire, Sir, to express my unqualified opposition to what is termed the Confederation of this Colony with the Dominion of Canada on the basis of the Organic Act; and in dealing with the subject, I shall address myself to three several heads of objection.

Firstly, to the principle of the Organic Act of 1867, as applied to the British North American Provinces;



Secondly, to the special application of the principle to this Colony;

Thirdly, to the mode in which the consent of its adoption is now attempted to be obtained.

Referring for a moment to my own personal position in this Council, I should wish to say that I feel bound as a non-representative and non-official member to present my own views. My mouth is not closed by official reticence, nor do I represent any constituency. I am here, bound by my duty as a Member of this Council, to express my own conscientious views in respect of the measure in explicit terms, in the interests no less of this Colony than of Great Britain, which in this, as in every Colonial question, I cannot but hold to be identical.

With respect to the general principle of Confederation of the British North American Provinces, it will be remembered that, in 1867, I was one of those Members who did vote that Confederation, on fair and equitable terms, was desirable. I am of that opinion still; but my objection is that no terms based on the Organic Act of 1867 can be fair or equitable.

It cannot be denied that the idea of a confederation and general alliance between the British Colonies in North America is a very captivating idea. The existence of a homogeneous nation tending to act as a counterpoise to the great Republic to the south of us, is a grand political idea, but it is an idea most dangerous and difficult to carry out. When I voted in 1867, for Confederation on fair and equitable terms, I had in my mind Confederation in the general acceptance of the word as understood by all political writers, and by the world in general—a union of free and self-governed States, united by a federal compact for purposes of offence and defence, of peace and war; and for the purposes of maintaining and preserving uniformity in laws and institutions which affect the social and commercial relation of life; such laws and institutions as criminal law and practice, the general administration of justice, and the laws regulating commerce and navigation. Such a confederation I then believed to be possible. I am foolish enough to believe it to be possible still; but Confederation as understood by Canadian and Imperial statesmen—Confederation as effected by the Organic Act of 1867—is not Confederation at all. I would, indeed, throw the word Confederation to the winds, since by Confederation is obviously meant union, incorporation, and absorption. The Organic Act of 1867, provides for the entire transfer of all effective legislative power and control to Ottawa, as the seat of the Dominion Government, where, owing to the much greater wealth and population of Canada, the influence and authority of Canada bear all before it. It is a principle too obvious for proof or dissertation, that Confederation in its proper sense can only thrive where the States bound together by the federal compact are not only free, but where they are nearly equal. Excess of power in any one

State is fatal to the interests of the rest. No, Sir, the word Confederation has no application to the intended movement. Lord Granville, in his despatch, no longer calls it by such a term. Union and Incorporation are spoken of, not Confederation, and the movement really is one of incorporation, absorption, and annihilation.

Now, Sir, the objections that I raise are objections to the provisions of the Organic Act, and I find it necessary, for the purposes of my argument, to turn to those provisions. I do not mean to detain the Council at unnecessary length, but as the question before us is one which concerns the future of this Colony for all time, I trust that I shall be excused if I dwell for a few moments upon these points.

If we come into Confederation, we come in, as I understand it, under this Organic Act; and it is on account of the overwhelming influence of Canada in the joint Legislature of the Dominion as given by that Act, that I object to the general principle of the confederation of the North American Provinces of Great Britain. I am told I am in error, that profound Statesmen in Great Britain and in Canada have determined otherwise, and that Confederation, on the basis of the Organic Act of 1867, is the policy of Great Britain.

I regret, Sir, that I cannot be silenced by the weight of such authority. No statesmanship, no conclusion, is of any value except for the reasoning on which it is founded; and I am ready to rest the whole matter on simple argument and reason. All States large enough and populous enough to warrant such privileges, eagerly and passionately desire the power of self-government. It is the common passion of our race. Formerly, even now, in other places, it is British policy to give these powers; and as New South Wales has thrown off Victoria and Queensland, so would it appear to be reasonable to extend the principle to the British Provinces in North America, rather than to adopt a different policy, for the simple reason that it is in accordance with the instincts of the Anglo-Saxon race, and the just rights of man.

We want self-government, which means the protection of our own interests, and the establishment of our own welfare in our own way; the passing of our own Estimates in our own way; the selection of those who rule, and the subsequent meeting of our rulers, face to face, in open Council, that they may show us the results of their ruling. It means the imposition and collection of our own taxes, fostering our own industries, and the power of the purse. These are the elements of self-government, and they are reserved to the Dominion Government, and taken from the Provinces; hence my objections to the Organic Act. For these reasons I say that Confederation—or rather union—with Canada cannot be fair and equal, on account of the overwhelming influence of Canada in the Dominion Parliament, now and in the future, for it always must be so.

Canada can extend, and will extend, and even of herself would be able to sway the destinies of the Dominion. And are we to accept this position because we are told that British statesmanship wills it. Statesmanship, Sir, is nothing more than very sound common sense put into practice—sound common sense, backed by a knowledge of mankind and of the subject matter to which that statesmanship is applied. And, although it is not for me to depreciate the renown of my countrymen, it cannot be disguised that they have not unfrequently gone astray, and been forced to submit to the control of national interests and national will. It is not difficult to find instances of error in British statesmanship as applied to Colonial affairs. The errors of British Statesmen, with a majority of the House of Commons and the British Nation to back them, cost Great Britain the thirteen United States. The errors of British Statesmen, with a majority of the House of Commons and the British Nation to back them, have inflicted wrongs upon Ireland, which are only now in process of removal; and the policy of British Statesmen, with the British Nation to back it, has created a difference which has gone far to alienate the affections of the Colonists of New Zealand.

In this question of Confederation it is impossible not to see the self-interest of Great Britain underlying the whole matter. England is alarmed at the extent of her Colonial Possessions, and her obligations to protect them by sea and land. Of all her possessions, the Dominion of Canada is the most assailable; and, doubtless, Great Britain stands alarmed at the responsibility and cost of protecting so enormous a frontier. The question of Confederation is the question of every tax-paying Englishman, and whatever may be the *reasoning* put forth, the *motive* is economy and security to the tax-paying public of Great Britain. Confederation is, doubtless, of value to Great Britain, as establishing a counterpoise to the United States of America, and probably inducing the Dominion of Canada to ask for and obtain independence, and so relieve the Mother Country from the cost and duty of defending it. This is, I believe, the entire *Statesmanship* of the measure—a Statesmanship meritorious in English eyes—but, as I believe, fraught with extreme danger to British interests in this quarter of the globe.

Turning now, to what may be called the argument in favor of Confederation, we have Lord Granville's despatch. Lord Granville, it must be admitted, has ably, gracefully, and plausibly put before us the supposed advantages of Confederation:—

Her Majesty's Government believe that a Legislature selected from an extended area, and representing a diversity of interests, was more likely to deal more comprehensively with large questions, and more impartially with small questions, and more conclusively with both, than is possible when contro-

versies are carried on and decided upon in the comparatively narrow circle in which they arise. Questions of purely local interest would be more carefully and dispassionately considered when disengaged from the larger politics of the Country, and at the same time would be more sagaciously considered by persons who have had this larger political education.

Finally, they anticipate that the interests of every Province of British North America would be more advanced by enabling the wealth, credit and intelligence of the whole to be brought to bear on every part, than by encouraging each in the contracted policy of taking care of itself, possibly at the expense of its neighbour.

This I understand to be the argument of the Colonial Office in favour of Confederation; and although I fully admit that it is well put, I believe that no argument is more fallacious. It is delicate ground for me to touch when I presume to differ from what comes from so able a man. On this point I wish to make myself distinctly understood. I do not profess to be a statesman or a politician, but as a lawyer of mature age, pretending to a fair share of common sense and a knowledge of human nature, I will venture to say, that if there is one passion more powerful in the minds of Colonists of Anglo-Saxon origin than another, it is the passion for self-government; in all English communities there is an ardent passion for self-government. Colonists here, as everywhere else, are animated by an intense desire to govern themselves in the way they think best, and to delegate that power to others is destructive of every feeling of self respect and of social and political liberty.

It is not necessary for me to prove that this is the case, it is too notorious for comment; and as long as the spirit of liberty exists in the British Nation we shall find that no one Province will submit to legislation at the hands of a Legislature in which its interests and welfare are overwhelmed and overborne. To secure submission to a Legislature such as that of the Dominion of Canada, where the majority of the Canadian Members make the law, uniformity of interest and feeling is necessary; and not only will the feeling of any separate Province be wounded by the consciousness that self-government is withheld from it, but on finding that its interests, or its feelings, are overwhelmed and subjected to the interests and feelings of a dominant portion, the sense of discontent and dissatisfaction will become universal and national, hence will ensue a condition of things most perilous to British interests generally.

The bond of union between Canada and the other Provinces bears no resemblance to the union between England and her Colonial Possessions. There is no natural love and original feeling of loyalty. The feeling of



loyalty towards England is a feeling blind, instinctive, strong, born with us and impossible to be shaken off; and I believe it is impossible to transfer a feeling of loyalty and fealty at will. The connection between the Mother Country and a Colony, even a Crown Colony, is well understood in principle and in practice. The Mother Country guarantees the Colony from enemies abroad, and the entire work of inter-colonial management is, except in matters of prerogative, left to the Colonists themselves. The Crown pretends to no dictation, nor has it any interest at variance with the interests of the Colonists. Although in a Crown Colony the Official element is supreme, it is well understood that it is to govern—and public opinion forces it to govern—according to the well understood and well established wishes of the Colony at large. The Government can not and dare not interfere except to prevent crude, irrational, or vicious legislation. There is no direct conflict between the Mother Country and a Colony in these days; but it cannot be supposed that any British Province will submit patiently to injustice at the hands of a Canadian Ministry or a Canadian House of Commons. If any scheme has been devised more likely than another to raise and keep alive local irritation it is, in my judgment, the scheme of Confederation on the basis of the Organic Act of 1867.

What is said by Lord Granville is true in theory, but practically it is opposed to human nature; and in endeavouring to carry out elaborate and elevated views Great Britain stands a fair chance of losing the whole of British North America.

Thus far I have treated of the general policy of the Organic Act.

With respect to the applicability of the scheme of Confederation to this Colony I have more special and particular grounds of objection. I consider such an union inexpedient on several grounds.

First, the remoteness of the Colony from Canada;

Secondly, the comparative insignificance of British Columbia;

And, thirdly, the diversity of its interests from those of Canada.

That these objections specially apply to the extension of the principle to this Colony no one can doubt. Lord Granville admits that the distance is an objection, but thinks that a Railway will annihilate time and space. He thinks that the Government can be carried on at a distance of 3,000 miles without difficulty. This Railway is to bridge over the vast desert that intervenes between this Colony and Ottawa. The notion that we can with any effect represent the interests of this Colony in the Parliament at Ottawa at a distance of 3,000 miles is to me absurd. With a population such as ours, even if we have the representation suggested by the terms, with eight Members of Parliament against one hundred and eighty-two, and four senators against seventy-two, how can it be supposed to be possible that our voices

could be heard? When Lord Granville spoke of "comprehensiveness" and "impartiality" in a Legislature, surely he must have lost sight of the constituent elements of a House of Commons. For let us consider, without any reflection upon the House of Commons at Ottawa, what is the nature of the House of Commons of England, or of any other assembly of the same nature. Every House of Commons is but an assemblage of the Members of Parliament pledged to support the material interests of their constituents, whenever those interests are affected. I never can anticipate anything but the representation of the views and the material interests of constituents in any House of Commons. I believe that members would always vote according to the interests of men whose votes they would have again to solicit, and of whose interests public opinion holds them to be the acknowledged advocates.

How can we find eight men in a place like this, where at all events the most valuable members of society are professional and business men, without selecting them from a class who are politicians by profession? Most men here are workers of some sort, and actively employed in their several professions and businesses, and we should have extreme difficulty in finding eight good men who would spare the time and expense to go to Ottawa. What we should want would be such men as are now at Ottawa, the principal business men, bankers, merchants, and professional men; but time and space will prevent this most valuable class of men from leaving British Columbia and representing our interests at Ottawa, and we shall be compelled either to retain the services of Canadian gentlemen, who, living in Canada, would be British Columbian representatives only in name, or we should have to take eight representatives who will be content to make politics a profession, and we shall have to pay them for their services. To the insignificance of British Columbia as a Province of the Dominion the same remarks apply.

Difference of interests is a still more material point. Upon this point direct conflict is sure to arise. Canada belongs to the Atlantic, and looks to the Old World for her markets. We are a new country, our staples are totally different. Questions cannot but arise between British Columbia and Canada—between the East and the West—in which Canadian interests will prevail over those of British Columbia; and aggravated by the feeling of wounded pride and forced insignificance, the Colonists of British Columbia will feel naturally aggrieved.

The Colonial feeling is well known—pride and attachment to the Mother Country and intense sensitiveness and tenacity where injustice or wrong is done. Once let this feeling be roused amongst us and it will not be long before British Columbia is clamorous for repeal; and not obtaining it, the Country will be ripe for any other change, however violent.

Now, Sir, with respect to the third head of my objections. With respect to the mode in which the consent of this Colony is attempted to be obtained, I am sorry to notice what I cannot but call a spirit of diplomacy, and a spirit of management, characterizing the whole movement in favour of Confederation on the part of the Imperial Government. It is obvious throughout that the Imperial Government desires to obtain their end and aim of Confederation in a mercantile spirit of bargain and sale, which jars upon my feelings of right and wrong.

If this Council is properly the Legislature of British Columbia; if we reflect the intelligence, the substance, and the interests of the Colony, we ought to have originated these Resolutions ourselves. The matter should have arisen spontaneously amongst us, without any attempt at leading or forcing. What may be His Excellency's own views upon the subject of Confederation we cannot tell. I look upon Lord Granville's despatch as a diplomatic order, couched in polite language, but nevertheless a requirement to the Governor to carry out the will of the Colonial Office, without reference to his own convictions. All that we are told by His Excellency upon this subject is that the Colony will derive "material benefit" from Confederation, and the Colony has been offered by the Executive certain material benefits in the shape of a Railway, a Dock, cash in hand, and freedom from debt, in return for the transfer of all legislation to the Dominion of Canada. These "material benefits" being paraded before the eyes of the Colonists, the bargain is afterwards to be accepted or refused by a Council composed mainly of Representative Members. This mode of operation, no less than the bargain itself, is equally objectionable in my eyes. The material benefits—the Dock, the Railway, the money payments—are in effect nothing more than bribes to the present generation to forego the rights of self-government.

I have no doubt that the Colony will accept the bargain. The Colony is a small one, the population not exceeding 6,500 adult white men, and of these many are gentlemen of Canadian proclivities, Canadians by birth, who are naturally, and I may say patriotically, in favour of a union with their native Country.

There are many, also, who in the present adverse condition of things in this Colony, are desirous of change of any kind, and eager for any opportunity of benefitting by operations which promise to throw population, capital, and enterprise into the Colony. We have suffered much from pecuniary depression, and when we have an offer from a great Country to come and spend money among us, can you doubt that any one will fail to feel these advantages; while many more hope for political power and eminence in a system which they expect will carry with it Representative Institutions, if not Responsible Government. Can we doubt

that the vote will be in favour of Confederation? The people of this Country will sell themselves for the consideration of the present, and posterity will hereafter ask indignantly what right had we to shackle them, and to deprive them of rights which cannot be sold.

We shall reap the benefit, and those that come after us will reap the disadvantage and humiliation. It is not in the power of the present generation to dispose of the birthright of its descendants. Liberty and self-government are inalienable rights. The original vice of the matter still remains, and when once the material benefits are enjoyed or forgotten, and the consciousness of disadvantage is apparent, reaction will set in; a party of repudiators and repealers will arise, who with great show of justice will clamorously demand the reversal of an organic change, founded on political error and wrong. Although our masters at Ottawa may be ever so amiable and ever so pure, the moment we feel the yoke we shall repent; it is not in the nature of Englishmen to submit to tyranny of any description; and dissent such as our posterity will express, will be on only too sound grounds. I say, Sir, that this matter ought not to be brought forward now, when the country is in a state of depression, ready to catch at anything. Recourse should not be now had to Representative Institutions for the first time, when the obvious effect is the acceptance by this Colony of a confederation which carries with it direct, immediate, pecuniary gain. Few have the self-denial to reject a bait so invitingly dangled before their eyes. If the Colonists are to be trusted with Representative Institutions, for the purpose of effecting so important and radical a constitutional change, why are they not to be trusted with Representative Institutions altogether? It is notorious that the Colony is, probably with justice, considered by the Imperial Authorities unfit for full Representative Institutions, and that a Council, with a predominant official element within it, is the only fit body to deal with important questions. Yet this Council is to be differently constituted, and the ultimate terms to be accepted by the people alone, for the sole purpose of forwarding the cause of Confederation. The whole scheme for effecting Confederation is but a scheme of temptation very difficult to forego, though it must be admitted recourse is not had to actual or practical force and obligation.

I have delivered my honest opinion on this matter, *liberavi animam meam*. I fear at great length. But I have spoken according to my conscientious convictions and a spirit of the truest loyalty. I am desirous to promote the interests of the British Nation; and I believe the present movement puts them in great peril. I have given you the best proof of my sincerity. I have spoken against my own interests. I have material interests in this Colony which will greatly benefit by the movement which will ensue from the building of a Railroad and a Dock.



The interests of friends and connections who are dear to me will be much benefitted; and those who know the world tell me that it would have been better for me if I had bent before the storm which I cannot avoid; that the honours and rewards of my profession are not likely to be bestowed upon one who is no friend to a popular, an Imperial, and a Canadian movement; but I cannot act against political conviction. I am here to give honest council, and I have done it, come what may.

The question has always appeared to me to be this:—Confederation with England which we have; Confederation in its truest sense; Confederation with all the security of protection, and all the pride of self-government, now and hereafter to be, when the Colony shall have population and wealth sufficient: or Confederation—or as it should be termed “Incorporation” with Canada. Incorporation with a country to which we are bound by no natural tie of affection or duty, and remote in geographical position, and opposed to us in material interests. Incorporation with all the humiliation of dependence, and to my mind the certainty of reaction, agitation, and discontent. Canada can never become the *assignee*, the *official assignee*, the *Downing Street official assignee* of the affection and loyalty which exists between this dependency and the Mother Country. I am opposed to the political extinction of this Colony, and its subservience to the will of a majority of the House of Commons at Ottawa, and the administration of its affairs by the political adherents of Canadian Statesmen. And all this for what? For “material benefits,” for a money consideration, in which the ring of the dollar only faintly conceals the clink of the fetter. I am grieved at the mode in which the change is sought to be effected, and view the bargain and sale of political independence for ourselves and our descendants for a few dollars in hand, and a few dollars in the future, as equally shameful and void.

Railway or no Railway—consent or no consent—the transfer of Legislative power to Ottawa, to a place so remote in distance and in interest, is an injustice and a political extravagance which time will most sorely establish.

The Hon. MR. DECOSMOS, Member for Victoria District, then rose and said:—Mr. President, I congratulate you, Sir, and this House upon the noble work on which we are engaged. We are engaged, I believe, in Nation-making. For my part I have been engaged in Nation-making for the last twelve years—ever since I have been engaged in politics in the Colony. [Hon. Registrar General—“You have not made a Nation yet.”] The Hon. Registrar General says that I have not made a Nation yet. I need only, in reply, quote for his enlightenment the old adage “Rome was not built in a day.” [Laughter.] In the humble part that I have taken in politics, I have ever had one end in view. I have seen three Colonies united on the Pacific Coast. [Hon. Mr. Helmcken

—“Three?”] Yes, three: Stekin, British Columbia, and Vancouver Island; and if I had had my way, instead of the United States owning Alaska, it would have been British to-day. I have advocated the union of those three Colonies, and in the union of two of them particularly, I have taken a prominent part. For many years I have regarded the union of the British Pacific Territories, and of their consolidation under one Government as one of the steps preliminary to the grand consolidation of the British Empire in North America. I still look upon it in this light with the pride and feeling of a native-born British American. From the time when I first mastered the institutes of physical and political geography I could see Vancouver Island on the Pacific, from my home on the Atlantic; and I could see a time when the British Possessions, from the United States boundary to the Arctic Ocean, and extending from the Atlantic to the Pacific, would be consolidated into one great Nation.

Sir, my political course has been unlike that of most others in this Colony. Allow me to illustrate my meaning by the use of another old adage. My course has been that of “beating the bush whilst others caught the bird.” My allegiance has been to principle, and the only reward I have asked or sought has been to see sound political principles in operation. Therefore, Sir, I say again that I congratulate you and this Honourable House on the noble work on which we are all engaged.

We are here, Sir, laying the corner stone of a great Nation on the Pacific Coast. When we look at past history, we find some Nations that date their origin in the age of fable; some have been produced by violence, and extended their empire by conquest. But we are engaged in building up a great Nation in the noon-day light of the nineteenth century, not by violence, not by wrong, but I hope, Sir, by the exercise of that common sense which the Honourable gentleman who preceded me called statesmanship.

It was not my intention yesterday to have taken up the attention of this House with any remarks until we were in Committee of the Whole, although I have taken, for historical purposes, ample notes of the debate. Allusions have, however, been made during the course of this debate, amongst others to myself. I am, therefore, compelled to crave the indulgence of the House for a time to set myself right before this Council and the Country, and to add my humble opinion to those around me in favour of the consideration of this question in Committee of the Whole. I shall support the general principle of Confederation, [Hear, hear.] as I have always done, if we get to the discussion of the terms proposed.

First, Sir, let me allude to some of the statements of the Honourables the Attorney General (Mr. Crease) and the Chief Commissioner of Lands and Works (Mr. Trutch) and to the Honourable Executive Member for Victoria City (Mr. Helmcken). Sir, I know something about the history of Con-

federation. Up to the opening of this Session, Confederation has been a subject of agitation. It may properly be divided into several heads; firstly, agitation; secondly, negotiation; thirdly, inauguration; and fourthly, I hope, successful operation. Now, Sir, it is apparent that every act of mine in reference to Confederation, up to the time it was announced in Earl Granville's despatch, up to the time His Excellency the Governor sent down his Message—every act of mine was in the line of agitation. It was with the view to bring about the consideration of terms with the Dominion Government; to hear what they would do; to bring the question before the people, and to canvass its defects and advantages that I for one have agitated the question. In doing so I have come in for blows from open enemies and treason from false political friends. Sir, the era of agitation has now passed, and we advance to the era of negotiation.

When I heard the Hon. Attorney General, yesterday, invoking High Heaven; and when I heard him explaining the position of Official Members upon this question; when I heard him state that he was always in favour of Confederation, there flashed across my mind one of the proverbs of Solomon, which I cannot refrain from repeating: "Such is the way of an adulterous woman; she eateth and wipeth her mouth and saith I have done no wickedness." [Laughter.] Sir, I respect any Hon. Member who will, if he sees reason to change his opinion, come down and frankly tell the honest truth; but when an Hon. Member tries to make political capital out of other men's labour, I confess I not respect him. On the contrary, such men as the latter, when Officers of a Government, remind me of the remark of a celebrated French philosopher, who said: "That in all the mysterious ways of Providence there is nothing so inscrutable as his purpose in committing the destiny of nations to such creatures as these." [Laughter.]

There are men in this Colony entitled to some honour; some men who are entitled to praise for having brought Confederation to its present stage; but they are not the Honourable Gentleman, the Minister of Justice, nor the Honourable the Chief Commissioner. [Hear, hear.]

Is Earl Granville entitled to the credit of bringing this matter forward? Is Governor Musgrave, or his Cabinet, or the Officials? No, Sir, I should be doing wrong if I permitted it to be supposed that the credit was due to any one of them. I have assisted to make history, and this is a page of it. Let it go forth to the world, that the people of this country have made Confederation the important question that it is to-day.

The Hon. Chief Commissioner, whom we have heard with so much pleasure to-day, made an allusion to me. He said that when I brought this matter before the Council in 1868, that the Executive Council opposed Confederation then, and the present terms proved their wisdom in delaying the question at that time. On that occasion my object

was only agitation to open negotiations. But, Sir, what did I hear at that time? "You pension the officials and we will all vote for Confederation," and I think I could mention another Executive Councillor who said: "Do you think we are such fools as to vote for Confederation without being provided for?" That was the kind of wisdom in vogue in 1868. Sir, I again object to Hon. Members taking credit where no credit is due. [Hear, hear.]

Let us turn now to the Honourable Member for Victoria City (Dr. Helmcken), once a warm and generous friend to Confederation; and what has been the result of his opposition? Impotence. He was impotent to retard the question. He was impotent to advance it. By impotent, I mean powerless. He was impotent to stem the course of events. He hung out the banner of Anti-Confederation in Victoria, and won his seat by crying "down with Confederation." Before he contested the seat with me, I told him that the Canadian Government would not negotiate until the North-West Territory question was settled. Yet the Hon. Member for Victoria City charged me with backing down from Confederation.

The Hon. Member for New Westminster, also, denounced me in his elegant English in the *Columbian* as giving up the cause of Confederation. But, Sir, why did I say that the Canadian Government would not enter into negotiations with us? It was because I had in my pocket, at the time, a despatch from a Canadian Cabinet Minister, which said that the Dominion Government would not negotiate until the questions then pending with respect to the North-West Territory were settled. The Hon. Member for Victoria City, held up, however, his puny arm against Confederation. But has he stopped it? No! Not a day, nor an hour; for as soon as the North-West Territory question was settled, then came a despatch to the Governor to push on Confederation. I think I have said enough, Sir, to show that it was the people who took this matter in hand, and it is the people who will carry it through. [Hear, hear.]

Although I have risen unprepared to make a set speech, there are still some points raised in debate which, in my opinion, require attention.

The Hon. Attorney General, after opening his budget upon Confederation, has referred to the three courses which these terms had to take:—First, they are to be arranged by this House; next, to go to the Canadian Government; and, thirdly, to be ratified by the people of this Colony.

I hope, Sir, that this House will deal with these terms in the interests of British Columbia. I stand here not as a Canadian, but as a British Columbian; my allegiance is due first to British Columbia. I sincerely hope that these terms will be dealt with from a British Columbian point of view, [Hear, hear, hear, hear.] and first as to the money value of Confederation. [Hear, hear, from Dr. Helmcken.] It may grate on the ear of the once Solicitor General (Mr. Wood) to



mention money; but, Sir, I believe in the old adage that: "Money makes the mare to go." I do not intend to allude to the terms in the Resolution at present, any further than to say, that I do not believe in going into Confederation without good terms. I believe that it would be traitorous to British Columbia to consent to Confederation without good terms; and that we would not do our duty if we did not insist upon getting them.

The Hon. Attorney General asks why we are not prosperous? In my opinion, Sir, the causes of our want of prosperity are various. They first arose under the administration of Sir James Douglas in 1858, and have been perpetuated down to the present day. The people were then almost driven away, and down to the present time the Government have done nothing comparatively to induce population to settle in the Colony. Another reason is, that the country is somewhat rugged, and not so attractive for settlement as some others. The Hon. Member for Victoria City, says, that it is our proximity to the United States. I most respectfully deny it. Population would have come if greater efforts had been made to get it. The Hon. Attorney General is consistent in one thing. He said in 1867, and he says in his speech now, that British Columbia is of vital importance to Canada. I cannot see it. I cannot see why the Canadian Railway, if this was a foreign country and our boundary coterminous with that of Canada, might not have run through to connect with our railway system, as the French railways connect with those of Belgium.

When sitting in the Vancouver Island House of Assembly, in the place now occupied by the Hon. Chief Commissioner, I defined British Colonists to be politically, nothing but subordinate Englishmen; and I contend, Sir, that Confederation will give us equal political rights with the people of Great Britain. In labouring for this cause, Sir, my idea has been and is to assist in creating a nationality—a sovereign and independent nationality.

Now, I come to the Hon. Member for Victoria City again. I really confess, Mr. President, that I expected more sterling opposition from that Hon. gentleman. I thought we had here the modern Charles Martel, the celebrated armed warrior who had gone out to drive the Saracens—the Canadians—back across the Rocky Mountains. I thought that he would have protested like Paul the Protestant. [Dr. Helmcken, What became of St. Paul?] Paul was converted, and I hope the Hon. Member may share the same fate. [Laughter.] I expected the Hon. Member to have delivered a philippic, that would have done honour to Demosthenes when declaiming against Philip of Macedon. But, I really don't know but what he has been set up as a target by the Government—a man of straw—to draw the shot of all the Confederate party. I don't know why he was taken into the Executive Council. I thought that this Council was an united and impenetrable phalanx, but it

seems that it is otherwise. What a happy family that Executive Council must be! The Member for Cariboo and the Member for the City differ in their views, and both differ in this House from the Honourable Executive Councillors at the other end of the table. It is like Barnum's happy family. But the Honourable gentleman has told us some things which are good, and besides that he is going to raise other issues.

[Dr. Helmcken—"I?"]

Yes, the Honourable Gentleman said that the issue would be raised at the next election, between going to Canada and going somewhere else.

[Dr. Helmcken—"I said that I thought it very probable if mean terms were proposed by Canada, the people would raise other issues."]

O! "the people," those much abused words. I believe in the people when they are right. But the Honourable gentleman *did* threaten to raise the issue of going somewhere else. Now, Sir, where else except to Canada could we go? The Honourable Member talks of agricultural interests, why, Sir, by going somewhere else these interests, from Comox to Sooke, and from Soda Creek and Kamloops to the Lower Fraser, would be destroyed; the country would be flooded by produce from the United States. From Comox to Sooke, from the delta of the Fraser to Cariboo, the farming interests would be destroyed by going somewhere else. If that question came up, Sir, the farmers would quickly put it down. The Honourable Member for Victoria City says that the question comes here by desire of Her Majesty's Government. Sir, I say again that it comes here by desire of the people, a large proportion of whom have asked Her Majesty's Government, and the Government at Ottawa, to bring it here. I am thankful that the question of Confederation is here. The Honourable gentleman says it is a Government measure, and that the terms must be passed. I say again that I hope terms will be passed of such a character as will contribute to the prosperity and happiness of this Colony. The Honourable Executive Councillor says that this is a Government measure, and that it ought to be an open question. Why does he not retire from his seat then? I would not be a candidate for his place.

[Dr. Helmcken—"There are no candidates. The Executive Council are appointed."]

Then I am sorry for the choice that has been made. Why, Sir, the programme settled by Government, would leave it virtually an open question by referring the terms to a popular vote. I may have something to say upon that hereafter. How patriotic will the Honourable gentleman be when he goes outside, and says that this nominative Council, presided over by a paid Colonial Secretary, have done this! How very easy it is for an Honourable gentleman to talk about the autocracy of Government, when it suits him to do so. Look at his conduct in voting supplies. When my Honourable friend on my left (the Member for Lillooet) tried to

bring in a Bill to repeal the Crown Salaries Acts, was he not choked off by the Honourable member for Victoria City objecting first? But I am only delaying the House. [Hear, hear.] The Honourable Magisterial member for Victoria City says, "hear, hear." Now, Sir, as far as I am concerned the Honourable member has my full permission to withdraw. [Laughter.] I have always been ready to take a British subject vote on this question; but the Honourable member for Victoria has always dissented from that proposal.

The Honourable member for Victoria City has a remarkable way of putting things. But a few days ago he stated in this House, that if the people will only support the Government in getting the terms proposed, all will be right. I quote from the Colonist newspaper of 20th February, 1870, in which the Honourable gentleman is made to say, "I hope the people will support the Government in trying to get terms." He now comes down here and opposes them. [Dr. Helmcken—"I don't oppose the terms, I oppose Confederation."] A distinction without a difference. The Honourable Executive Councillor says the time is inopportune. I say, Sir, that now is the time. If the new gold discoveries, which have been mentioned in the course of this debate, really exist, now is the time to confederate, and to take means to attract and retain population. I, Sir, have spent five years of my life in the mining districts of California, and have helped to build up town after town; but how are they now? Many of those towns which had their 5,000 inhabitants have almost none now. It will be the same with our gold-mining towns. I fear the Honourable gentleman will always say the time is inopportune, not only before the population arrives, but when it is here, and after it goes. If we can make a good bargain with Canada, by all means let us make it, and make it now. I like the word bargain, it sounds like business. What did the Honourable member for Victoria say at the last election? "Don't let us have Confederation, for we shall have a surplus revenue of \$100,000 in 1869, and we will do better without Confederation." Confederation was inopportune then. There was a large deficit or falling off in the Revenue for 1869, and yet he says it is inopportune now. He said, yesterday, we shall have a reduction of the public debt in 1873, of about \$36,000, and by funding the floating debt make another saving of \$15,000 per year. So that for a paltry saving of \$50,000 three years hence, the confederation question is now inopportune. I am surprised at the Honourable gentleman. First, it is inopportune, because of the present depression; second, inopportune at the last election, because things looked so bright; thirdly, inopportune now, because we can save \$50,000. Your predecessor as Minister of Finance, Mr. President, promised great things, but the Governor's Message with the Estimates shows how they have turned out. I do not deal in prophesy, but in facts. Let any one look at Cariboo.

Look at Victoria. If we wait for the time to be opportune, we may wait until it is too late. Suppose any unforeseen accident were to happen to our gold mines. If the golden spring is dried up, the golden stream that now flows from Cariboo to Victoria will be dried up also. We are asked by the Honourable member for Victoria to wait for the census of 1871. What has the census of Canada to do with the question? The basis of population as set forth in these terms is all fiction. It does not come up to my idea of nation-making. Why not deal with facts? Why set up some legal fiction of John Doe and Richard Roe? I want facts not fiction. Let us base our financial calculations upon facts, and the rest will work itself out satisfactorily. Much has been said, during the debate, about the Red River Territory and its settlement. For my part I don't care if the Red River difficulty is never settled, so far as it bears on the question before the Council. I believe that the Red River country, and the valley of the two Saskatchewan are not so favorable for settlement as some amongst us are accustomed to assert. But whether the North-west Territory is confederated or not, I go in for Confederation, because I believe we can make terms, and good terms, with Canada. The Honourable member for Victoria City talks of the drawbacks to Confederation arising out of the vast extent of country, and our great distance from the seat of the Federal Government. That will hardly scare anybody, with the example of the United States before us. Next he says that the Dominion is only an experiment and that it may break up. How often have I heard people predict that the United States, as a nation, must break up, as it was only an experiment. Why, Sir, they forget that the States had existed as separate Governments for one hundred and fifty years before their union. So with the Provinces of the Dominion of Canada, they existed as separate Governments for the last hundred to two hundred years, and Confederation is but the application of long tried principles to a larger territory. Why did not the Honourable member for Victoria City, when he said there were defects in the confederation machine, tell us what the great defects in the machine were? He has merely raised up a scarecrow. Then he says it is absurd to ally ourselves to people who were 3,000 miles away; but nothing in his argument showed me that the absurdity was proven. I remember, Sir, when the communication between California and Washington, was by Panama and Nicaragua; was California then less to the United States than now? We now can hold communication with Ottawa, by San Francisco and the Pacific Railroad, and will be as near to our central Government as Washington Territory. The Honourable member speaks of people 3,000 miles away, being unable to do as well for us as we could do for ourselves. I believe they could do just as well so far as some general principles are concerned, if we only settled the conditions properly. With regard to the States of the neighbouring



Republic getting on better than the Provinces or ourselves, I would ask where is the progress of Washington Territory as compared with our own country? [Dr. Helmcken—"It contains a much larger population."] The population is only five thousand voters!

The Honourable gentleman is pursuing the same devious course as he did in past years, when he opposed reform, when our Government might have been beneficial to the Colony, had it been based on the popular will. He says that the deposition of the Free Port drove people out of the Colony. I take this occasion to state that, in my belief, the deposition of the Free Port was the commencement of the permanent prosperity of this City; and brought in its train the dawning of prosperity throughout the whole district, from Comox to Sooke, which includes the district which I have the honour to represent, and which now numbers six hundred voters, all of whom are prosperous. There, Sir, lies the key-stone of Confederation! If the terms between British Columbia and Canada do not protect the farming interests, the largest and the only permanent interest in this Colony, Confederation will do no good. If it does not protect the farming interest, I vote against Confederation, first, last, and all the time.

It would be most unwise to join Canada without protection. We must have a control over certain imports in the terms, for a protective tariff is the only inducement to farmers to remain upon the soil. We depend upon them to build up a permanent interest in the country, that will last for ever.

We most certainly do want extension of commerce, but the true mode to obtain extension is to add to its volume internally. First, I believe in developing internal trade and industry; next, I believe in external trade. Allow these terms as brought down by the Government to pass, and in a few years you will reduce Victoria to the position of a mere smuggling village. Protection is a necessity. So long as there are nations and national interests, so long will it be necessary to have laws to protect those interests. Allow me, Sir, on this point to say that there is a great revolution in the value of realty, capital, and labour commencing on the Pacific Coast. The equalisation of the value of realty, capital, and labour has commenced. The whole tendency of events in the countries to the south of us, is to equalize the value of labour, of real estate, of capital, of manufactures, and of produce on this Coast with their value on the Atlantic side. No such revolution in values has ever occurred on the Pacific Coast, except that produced by the discovery of gold, as has been produced since the opening of the Pacific railroad. Take off protection then from our farmers, and they are reduced to the condition of the agriculturists to the south of us, who will be reduced to the condition of those in the east. No doubt the prices of our farmers will be reduced by the revolution that is going on, but give them

protection against foreign competition, and there will still be inducement for them to remain. The Hon. Chief Commissioner referred to this in a very proper spirit; and the Hon. Member for New Westminster says that it is one of the most important questions. I hope, therefore, that the subject will have due weight with them.

The Government of Canada, according to the proposed terms, would give us a surplus revenue of \$200,000. [Dr. Helmcken, "No"]. The Hon. Member says no. He may be right. But upon the calculation that we shall have \$200,000 surplus revenue, I say that this subsidy will be equivalent to four hundred farmers, who earn in the Colony \$500 each, annually. By taking off protection from our farmers, to get the \$200,000, we would injure the country instead of benefiting it. But get the surplus of \$200,000, and at the same time protection for our farmers, and we will do a prosperous business under Confederation. This is what we have to arrange. What we have to get into the terms. [Dr. Helmcken, "All right! I will help you."] I would say that "extremes meet," for I now meet my Hon. friend (I mean political enemy) ["No, no,"] to secure protection. I do not see, with the Hon. Member for Victoria City, that we can get all we want without Confederation by a judicious arrangement of our own tariff. I can show, that what we want most in this Colony, is population, and that population employed in a remunerative manner. Isolation will not secure population. Confederation on proper terms will give us population; will give us means to employ labour remuneratively; will enlarge our commerce, and build up our industry. If it gives us public works,—if it gives us a railroad from a point on the Fraser, below Yale, to Savona's Ferry on Lake Kamloops,—and if we connect Lake Okanagan with the Spelmah-cheen River, by railway, which is only about thirteen miles,—not only will the whole country from Osoyoos Lake, on the boundary, behind the Cascades, be opened up and connected with our chief commercial city, with a cheap and speedy means of transportation; but all this tract of country traversed by the railways and lake communication will be utilized in producing wheat and wool, and other articles for exportation. Victoria, then, will be built up, and will be the chief commercial city of British Columbia, with all other parts of the Colony tributary to her. This is what Confederation on proper terms will do for us. The Hon. Member for Victoria said, that no lasting union could be maintained, unless the interests of British Columbia are preserved. If I look (for argument sake) at these things from a Canadian point of view, I find that by serving the interests of British Columbia, the interests of Canada will be served. Canada, as well as British Columbia, will benefit by a protective duty here. Canada will get the revenue under protection, and British Columbia will have

its industry protected from foreign competition. And, there is no reason that we should not have our interests protected. [Dr. Helmcken—"The Organic Act says no."] The Organic Act says no such thing. Confederation is diversity in unity: really and essentially a general unity, and an application of law to diverse interests. First, we find that New Brunswick, under the Organic Act, gets a temporary subsidy of \$63,000 per annum. None of the other Provinces receive any temporary subsidy under that Act. New Brunswick is allowed to collect export dues on lumber. All the other Provinces are prohibited from levying dues on lumber. Now, if New Brunswick gets an additional subsidy, and levies a lumber tax prohibited to the other Provinces, why cannot British Columbia get exemption from uniformity in her favour? Nova Scotia gets two subsidies, equal to \$160,000, which are not in the Organic Act. The Crown lawyers say that the grant is not unconstitutional. This is a noted exception, made to satisfy the Nova Scotia repeal party. Another exception is found in the compulsory provision, that appointments to the Judiciary shall be made from the Bar of the Provinces for which the appointment is made, till the laws and practice are assimilated. If the Organic Act is wrong, I say change the Act. But, I believe, that I have successfully shown that exceptions have been and can be made under the Organic Act.

Now, let us see what this horrible Canadian tariff is. It is too high on cattle for us; not high enough on bacon, butter, cheese, and lard by a few cents; and imposes nothing on hay, hops, and grain of all kinds. I explained the whole to my constituents, at eleven meetings, and they said, get these few alterations made to suit us, and we will support Confederation. So we must have an alteration. Why, Sir, under the English Constitution different tariffs can be imposed. Look at the difference in the Excise spirit duties that were levied formerly in Scotland and England, for instance. As a lawyer, not as a judge, I give my opinion that we can have one tariff in British Columbia, and another in the Atlantic Provinces, under the Organic Act; and if the Act does not allow it, then we must alter it.

I have already given notice of motion respecting protection for our farmers and manufacturers. I desire to add a resolution to the proposed terms, keeping the power in the hands of the Local Legislature to impose a tax on certain imports, in case the tariff be too low. With respect to brewers, the tariff can easily be arranged so as to protect them; and the Hon. Member for New Westminster has answered the objection to the Dominion fishery laws. As for commerce, that common sense that the Hon. Mr. Wood calls statesmanship, will settle that; for if Confederation would injure the commercial interests of British Columbia, it would also injure the interests of the Dominion.

The Hon. Member for Victoria City has said a great deal about centralization. But I say, Sir, that there must be a centre somewhere. We cannot have it in British Columbia, and a centre would be no worse in Ottawa than in Washington. The Pacific Coast, so far as the United States are concerned, is represented at Washington, which is not so large a city as New York.

Representation is one of the most important elements in free Governments; and as it has been urged by the Hon. Mr. Wood and others, that British Columbia would not be heard in the Canadian Senate or Commons, and that our small delegation would be crushed and out-voted, I will briefly examine the subject. Now, Sir, the whole of the Pacific States of the United States have only twelve Representatives in Congress—6 in the Senate and 6 in the House of Representatives. California has two Senators and three Representatives; Oregon, two Senators and one Representative; Washington Territory, one Delegate; and Nevada, two Senators and one Representative. Now, it is proposed in the Resolutions to grant to British Columbia twelve Members—four in the Senate and eight in the Commons—a number equal to the whole representation of the Pacific States, with 1,000,000 people, in the United States Congress. Again, there are only five States that have more than twelve Members in Congress. They are New York, Pennsylvania, Illinois, Indiana, and Ohio. Take another glance at the representation of the States most remote from Washington. Texas has five Members; Florida three; Maine, seven; and California, five. Remoteness and small numbers have never caused any of these States to be treated unfairly. Under the popular system of government there, the small States do not go to the wall. Has little Delaware gone to the wall? Has Rhode Island gone to the wall? No; neither would British Columbia go to the wall in the Parliament of Canada. The Government of Canada is based on the popular will; and that is the highest of guarantee that we shall be treated fairly by the Dominion.

I have never heard of Scotland being injured because she had a smaller representation in Parliament than England.

[Hon. Mr. Wood—"Yes, yes. Two resolutions followed immediately upon union.<sup>37</sup>"]

Yes; but that don't affect my proposition. A little blood-letting, however, does no harm occasionally. I would not object to a little revolution now and again in British Columbia after Confederation, if we were treated unfairly; for I am one of those who believe that political hatreds attest the vitality of a State. [Hear, hear.]

The Honourable and learned Member for Victoria says that all power will be taken away by Confederation. Why, Sir, the Hon. gentleman cannot have read the Organic Act. For he will find the exclusive powers of the Dominion and the Provinces clearly set forth in it. Then, Sir, on the question of



guarantee for the fulfilment of the conditions by Canada, there appears to be some misapprehension in the Hon. gentleman's mind. In point of fact we have a guarantee from the Imperial Government. If the Dominion refuse to keep the terms and repudiate their part of the bargain, we can appeal to the Imperial Government to release us.

[Hon. Mr. Wood—"Let us have it in black and white."]

Why, let the Act be repealed and down go the terms. The sovereign power is in the Parliament of England. It made the Act, and if it is violated without redress, it can repeal it, and the power of Canada ceases.

The Honourable and learned Member for Victoria City has referred to the possibility of a Fenian invasion, and said what will become of the Railway in such an event. I believe, Sir, on such an extraordinary occasion, such as invasion, each one in the Colony would be patriotic enough to do without a few miles of Railway, until the invasion may be put down.

It has been asked what is the gain under Confederation.

At present we have no surplus revenue. But with Confederation on equitable terms, there will be a clear gain of \$384,000 annually from subsidies and reduction of tariff; therefore, as \$384,000 is to nothing, so is Confederation to Isolation. There are a great many points to which I could allude were I disposed to trespass longer on the time of the Council; but I reserve them until we go into Committee.

There are, however, some few things to which I will passingly allude. It is important to British Columbia to know what will be the qualification of Members to the Dominion Parliament [Hear, hear, from Dr. Helmcken] and the qualification of electors. And with reference to the Local Constitution, it may be necessary for us to know whether our Governors cannot be elected as in the United States, instead of being appointed on the English principle; and whether we may not acquire the right to pass local laws over the veto of the Governor, by a two-third vote of the Legislature. The usury laws, imprisonment for debt, and many other matters will require careful consideration and attention.

With respect to the main principle, I am in favour of Confederation, provided the financial terms are right in amount, and if the other terms will contribute to the advancement and protection of our industry. If we cannot get favourable terms, which I believe we can, it will then be for the people of this Country to say whether we shall remain in isolation or seek some other more favourable union.

The Debate was here adjourned until Friday, at 1 o'clock.

**Friday, 11th March, 1870.**

The Debate was resumed by the Hon. MR. RING, who on his rising was greeted with cries of "Spoke, spoke."

Hon. Mr. Ring said:—Sir, I have only spoken to the amendment, and have a right to speak to the original motion.

Doubts were expressed as to the Hon. gentleman's right to speak a second time, but the Presiding Member was not called upon to decide, and Mr. Ring proceeded:—

Sir, The Hon. Member for Victoria District commenced by congratulating the Council on having the grand question of Confederation now before them. He congratulated them on the great advantage of being able to grapple with a great question like this.

I cannot compliment him on the way in which he introduced his subject. I admire his perseverance, and confess that on many subjects he enlightens Members on both sides of the House.

I lament to find that having alluded to the opening speech of the Attorney General, he thought fit to cast unwarrantable imputations upon that gentleman and the members of the Government. He suddenly turned aside and quoted a text, which he applied to the Official Members of this Council. He likened one of them to a woman who forgets her modesty and shame, and goes after lovers for bread; to her who has a harlot's forehead, and refuses to be ashamed. Sir, I deprecate such allusions; they throw no light upon the subject. I think that an Honourable and grave body like this, on hearing such charges, should have at once risen to express their indignation rather than have condoned it by their silence. Nothing is more easy than to take any one act of a man, or of a body of men, and apply it to a sinister motive, when it is capable of an honourable one. Sir, I was very glad that the Hon. Attorney General had the courage to follow the example of the English House of Commons. He, finding no Chaplain to this House, supplied the defect by invoking the blessing of God, which was met by a sneer. I say I admire his courage in fronting a godless age, by the invocation of the blessing of Him in whom we live and move and have our being. He was not ashamed to acknowledge the controlling power of Heaven over the destinies of this fallen Colony.

Now, Sir, the Attorney General descanted at great length on the advantages of Union. He put that as the basis of the Government proposition. There is nothing like Union he says; this is a noble sentiment which all must join in. Everyone would welcome that comprehensive brotherhood which embraces all civilized Nations. I am sure that when the Hon. Member for Victoria alluded to the possibility of a prospective union with other Powers, he did not do so in the idea of this Colony abandoning its allegiance to the Crown; because he expressed a wish to see the desire of general union spreading, is no reason that he should desire to shake off his connection with the Mother Country. Had it been otherwise, I should have deplored the Hon. gentleman's loss of loyalty. Some surprise has existed at the Hon. Member for Victoria offering suggestions as to the pos-

sibility of any other union. Why so? The Hon. Attorney General himself gracefully introduced it. Why should not the English-speaking race live in peace, and form one Nation? The people of the United States spring from one common stock with ourselves. I long to see the time when all national sectarianism shall be swept away.

My position as Member for Nanaimo has been assailed in a cowardly way by what is called the Press. I have been accused of shrinking from my duty to my constituents at Nanaimo, because I echoed their sentiments against Confederation. I ask the indulgence of the House whilst I allude to what occurred at Nanaimo at the last election. At that time the question of Confederation was rife throughout the Colony; peoples' minds were agitated; the people of Nanaimo were almost unanimous against it. In what I said to them during the progress of the election, and also on the hustings, I told them that I agreed with their views against Confederation, but that when it came before the Council I should give it my best attention. It was not made a test question at my election. The people of Nanaimo are still of their original opinion; and, therefore, I express their opinion now, against this measure; and say that their convictions are against Confederation, notwithstanding the "No, noes" of certain Hon. Members. There may be some amongst them, Canadians by birth and principle, who desire Confederation, who, though they are here, can say with the poet:—

Where ere I roam, whatever realms I see,  
My heart untravelled fondly turns to thee.  
Thus much for Nanaimo.

Now, I say, Sir, that the question of Confederation ought to be fully and amply discussed in this House, and to do this there should be a full House. I deny that it is the desire of the people to have Confederation, but I say let the people have an opportunity of expressing their opinions in this House. Let the disfranchised districts have first restored to them the rights of which they have been defrauded. The Governor has been betrayed into supposing that the people want Confederation, and assuming this to be true, he says I shall now give the people an opportunity to discuss the terms.

But let the Franchise be restored, then let the general question of Confederation come before an enlarged representation; and I say that Confederation should be put alone, aye or no. Shall we have Confederation? and not upon what terms shall we have it. The proper course is to dissolve the House, issue new writs, and let the people say whether they want Confederation; and after they have said yes, then descend into the particulars of it. A Government measure is now proposed, we are bound hand and foot, and handed over to Ottawa. I say, Sir, that being so handed over, we ought to let our masters settle the terms for us.

I, therefore, venture again, Mr. President, to repeat that if it is to go abroad that the people desire Confederation, then the House should be dissolved, and a fair vote taken.

The Hon. Member for Victoria District puts it as if the voice of the people had been heard. I ask how? Through newspapers? Conventions? Speeches? I say this is not the proper way. Let the people speak in this House, through a full body of Representatives of their own choosing.

The question has been amply ventilated in this Council. The Hon. Member for Victoria City has gone fully into what he considers the difficulties. He has been met on the other side in a manly and able reply by the Hon. Chief Commissioner of Lands and Works, who has been again met by the Hon. Mr. Wood.

It is not for me to go into the question of terms now; but I deny emphatically that Confederation is desired by the people. My own constituents are against it; many other constituencies are, as I believe, against it also.

I ask, then, why should the Government attempt to force these Resolutions upon us, by means of the Official Members, who are only supreme in numbers?

The people have had no opportunity to express their wish. Difficulties have been presented by an Hon. Member, arising from the space between British Columbia and Canada—difficulties arising from the means of transit, and from the means of communication being cut off—difficulties arising from what is at present called the rebellion in the North-West Provinces, that strife, as I am informed, gathering strength day by day. ["No, no," from Mr. DeCosmos.] Hon. Members say "No, no." I am so informed. I hope it is not so, but if it be, then under the name of union we are called upon to take a part in this internecine war.

I long for union as much as any man. In union of good there is strength and victory, but in union of evil there is defeat and disaster. I shall not occupy the time of this Council in adverting to matters which have been amply discussed; in expressing my conscientious opinion I do my duty. The Hon. Mr. Wood has told us that he counts professional honours as nought. I say nothing of prior claims to professional honours which I have lost, from, at all times, conscientiously supporting what I conceived to be right. His Excellency says that we are not fit for Responsible Government. I want to know on what local data he says so? Who has tried the people? On the scope of whose mind is it said they are not fit? Who has examined them?

The Hon. Member for Victoria District has properly said, if Hon. Members were paid for their attendance in the House, you would soon see whether men were capable or not to enter upon and fulfil the duties of Responsible Government. Then we should see whether the gentlemen disguised in mean apparel—Graduates of Oxford, Cambridge, and other Universities—who have cast their lot in this Colony, but are unable to defray their travelling expenses from remote places to the Capital. We should see, I say, whether they were capable, or not, of enlightening



and controlling by their wisdom the feeble powers of Governmental diplomacy. Sir, by enlarged representation we shall discover such men. We had one foot forward in the direction of freedom, it has been forced back. The franchise has been taken away. Sir, I have very feebly endeavoured to touch upon these subjects. In fine, I affirm that the matter has not been discussed fairly. There must be an enlarged representation, that the people may tell the Government what they want.

Hon. Members who have supported Confederation, have failed in showing that this is the time for it. They are afraid to ask the people. They have refused to do so.

Much has been said; more will be said. I have listened, and have heard high sounding words, and inflated tautology of this and that Hon. Member, which remind me of soap-bubbles, which, though beautiful by the reflection of the sun's prismatic colours, are equally remarkable for their rotundity and their emptiness.

The Hon. MR. BARNARD said:—Sir, in rising to support the motion of the Hon. and learned Attorney General, I can but express my feelings of pleasure in being permitted to take a part in the great work in hand—that of hewing off the rough corners of the block which has come to us from the hands of the Executive, and which, after receiving the finishing touch at the hands of the people, will become the key-stone of the great Confederation arch which will, ere twelve months, extend from ocean to ocean. The terms as sent down by His Excellency are, I consider, a fair subject of congratulation. The manner in which they have been received by this House and the people is another subject of congratulation; and the paucity and utter idleness of the arguments used by the opposition, represented in this House as it is by the talent of the opposing party in the country, are also subjects of congratulation to His Excellency, this House, and the country. It is wrong, Mr. President, to charge the desire for Confederation on the part of its promoters to a desire for change. So far as my constituency and the adjoining ones on the Mainland are concerned, I may say safely that such was not the case—we accepted the Organic Act constituting this Council, and agreed to work it out to its legitimate end; and we have not countenanced nor have we been subjected to the many changes which other parts of this Colony have. I desire, before going further, to allude to a charge commonly made against my countrymen—often offensively put—but yesterday put by the Hon. Mr. Wood, in his usual gentlemanly way. It is that of “Canadian proclivity.” As a native-born Canadian, in common with others, I love the land of my birth. We admire her institutions and revere her laws; but we never forget the land of our adoption, and we would no more consent to see her wronged by Canada than would the tens of thousands of Englishmen who have made Canada their home, permit a wrong to be done her by England.

It is also wrong and contrary to fact that, “so anxious are we for Confederation that we would accede to any terms proposed.” During the past three years, I have been one of the foremost in advocating the cause of Confederation; and, in so doing, throughout the interior of the Colony, I am free to confess I never uttered such a sentiment; and, in justice to my fellow-countrymen in particular, and the advocates of this cause in general, I will say that I never heard any one express a desire that this Colony should be confederated, except on such terms as might on investigation be found to be just and beneficial.

We desire Confederation with Canada, because we believe that it will be to the interest of this Colony to unite with the progressive Colonies to the east. That they are progressive I assert, and as proof I point to the fact that, previous to Confederation, Canada proper had expended \$184,000,000 on public works, principally in building canals. Up to 1869, \$170,000,000 had been expended in railways. She pays to-day \$300,000 yearly for her ocean steam mail service alone, and her enterprise is followed by her people. Her manufactures are increasing yearly, and even now she is exporting cloths to England, and competing there with cheap labour. One firm alone, composed of men who landed in Canada pennyless, now has \$9,000,000 invested in ocean steamers, employing 4,500 men, and thus sustaining 22,000 persons. Among the objections urged by Hon. Members against Confederation is our proximity to the United States. This, I hold, is no objection. Canadians are not taught to fear competition with the United States. The general feeling there is that we can hold our own (except in point of numbers) with her in any direction whatever. It is to her we look for a great portion of our trade, and the advantages of such trade are mutual.

The question is often asked: “What are the immediate advantages to be derived by us from Confederation?” My reply is that, in addition to the amount paid us by way of subsidies, we will save by a reduction in the tariff and by importing Canadian manufactures, a very considerable sum, thus reducing our taxation. Next, the terms propose that \$1,000,000 be spent on a waggon-road to be commenced immediately and completed in three years, thus causing over \$300,000 a year to be spent.

Hon. gentlemen will recollect that in 1861, 1862, and 1863, immigration poured in on us, caused by the report of rich discoveries in Cariboo, and by a knowledge on the part of those coming that the Government was spending large sums on public works, and that those who failed in the mines might fall back on the roads to replenish their purses; and many who are now permanent settlers in the interior acknowledge that they made their “farm stake” there. How much more is this likely to be the case if the larger works contemplated in the terms are carried out.

Then, Sir, look at the construction of a Railway. You may judge of the magnitude of the work by the following figures. There were employed on the Central Pacific at one time 25,000 men and 6,000 teams; 600 tons of material were forwarded daily to the point of construction; 30 vessels in harbour at one time, loaded with material; the wharves at San Francisco and Sacramento loaded with railway iron; 70 locomotives landed, and 700 cars built to carry on the work on construction account; no less than 30 sawmills in operation at one point at one time. The enterprise that set this enormous trade in motion is not one of greater magnitude than will be the work undertaken on this side, and if our farmers and population generally do not profit, and that immediately, by the carrying on of such enterprises as these, let them succumb, for I know of no state of prosperity that can help them. I contend the benefits of Confederation, in these respects at least, will be immediate. But Hon. Members have said "the United States will derive the benefit." If that argument holds good, why not tell the merchants of Wharf Street to close their doors because foreign manufacturers reap a part of the benefit of their trade. Better, a great deal, for the opponents of this cause to advise the farmers to cultivate every inch of their farms and garner up their crops, for the day assuredly will come when they will have ample market for all they can raise.

It has been urged here, that Canada cannot retain her population, much less the immigration that comes to her shores. In this, Sir, there is considerable truth, although the Hon. and learned Member for Victoria has not put the matter fairly before this House. In giving the number of passengers going from Canada to the United States, he has omitted to give you the number of those passing from the States into Canada. One reason why Canada has not retained the whole number of emigrants landed on her shores, is that they find greater attractions in the treeless prairies of the Western States, than in the heavily timbered lands of Canada. This, Sir, has ever been a serious drawback to her. But now the case is different. Having acquired the vast territories of the great North-West, she will open them to settlement, and then she will have inducements to offer such as cannot be boasted of by any other country in the world. Open those millions of acres to the settler, and you will see such a rush of immigration—not only from the older countries of Europe—but from the United States, as will astonish the world, and stand unparalleled in the history of immigration. Canada's hardy sons who have left their homes for the Western States—allured by the advantages of prairie over wooded lands—will join in swelling the numbers, and once more plant their feet on British soil.

The difficulties of defence have been spoken of as a formidable obstacle. Sir, she never regarded them in any such light. Canada has no fears in that direction. She

relies on the thorough good understanding that has existed between herself and the United States for so long a period, as a guarantee for the future. Their interests are so identical that they cannot afford to quarrel. The troubles between them heretofore, have been on England's account, and not Canada's, as witness the Trent affair, and the more recent Fenian invasion, which was rather a stab at England than an attack on Canada. During the recent fratricidal war in the United States, Canada had a difficult part to play in maintaining strict neutrality, yet she came out unscathed. It must be remembered, also, that Canada possesses in her canal system, a powerful lever—a guarantee for peace—vastly more potent than fortifications. The great bulk of the produce of the Western States finds its way to the ocean through Canadian channels, which could be closed at any moment.

As to that "other issue," (I will not use the word that has been so freely used outside) I have no fears for Canada or this Colony either. It used to be fashionable here, in early days, to associate the name of Canada with rebellion. It was the result of prejudice and ignorance, and was a great mistake.

I recently read, Sir, an account of a meeting held in one of our principal Canadian cities, on the occasion of a Sabbath school convention. An American gentleman was engaged in addressing the house, filled to its utmost capacity. In the course of his remarks, having occasion to refer to Her Most Gracious Majesty the Queen, he added:—"American though I am, I can with all my heart say, 'God bless the Queen.'" Immediately, Sir, without any preconcerted action, the entire audience of men, women, and children rose to their feet and sung the National Anthem. That gentleman said, that such a spontaneous, hearty, and unanimous outburst of loyalty was probably never heard before.

Such, Sir, is the kind of loyalty we were taught in Canada, such is the kind that is being taught to the rising generation of the new Dominion to-day; and I leave it to you as to whether there is room for that "other issue" or not.

Before concluding, Sir, I would wish to remark with reference to the charge made by the Hon. Member for Victoria District against the Hon. Attorney General, that his conversion to Confederation was late. I know that it is impossible to make some Honourable Members believe anything good of Officials, whether in respect of Confederation or anything else. But I simply desire to relate this fact.

I had occasion to go into the Hon. Attorney General's office in 1867, and he then showed me a letter, written by himself, in favour of Confederation; and after perusing that letter I felt convinced that when, in his estimation, the proper time arrived, the cause would have a warm and sincere advocate in the Attorney General. I mention this in order to show that the Hon. Member for



Victoria District has no right to arrogate to himself that he was the only man who was far-seeing enough to recognize the advantages of Confederation three years ago, and as a reproof to him for finding fault with the position taken by Hon. Official Members on this question now.

To sum up, Sir, I say that amongst the Statesmen of Canada, we may safely look for men fully competent to control the affairs of a young nation. They are men of as much ambition and grasp of thought as are the rulers in the adjoining States; and, depend upon it, nothing will be left undone to advance the prosperity and well-being of every portion of their vast Dominion. We may safely repose full confidence in them. England has done so, or she would never have committed the well-being of four millions of her subjects to their care.

They can steer the good ship "Dominion," and hold her on her way. She will receive many a shock, "but 'twill be of the waves, and not the rock."

The Hon. MR. HUMPHREYS, Member for Lillooet, said:—Mr. President, It is not my intention to occupy the attention of the House at any great length. I shall pass in review rapidly the arguments for and against Confederation, as they have been used by Hon. Members who have spoken during the progress of this debate.

It seems to me, Sir, that the people and their interests have been entirely ignored throughout the discussion of this question, and perhaps intentionally. I refer to the subject of Responsible Government ["Hear, hear," from Mr. DeCosmos], which has up to this stage been all but lost sight of. I, Sir, am one of those men who believe in the people.

I remember that in opening this debate, the Hon. Attorney General invoked the Divine blessing upon the work upon which we were then entering. This was high-sounding, and a very nice picture to look at, but it does not wear well without that strict attention to the divine rights of the people, which is inalienable from true political economy.

I have a distinct recollection of most Hon. Members now occupying an official position at this Council Board, and of the positions which they occupied when first they came to this Colony. I have often asked myself what entitles these Hon. Members to govern this Colony; but I have never been able to answer myself satisfactorily. I am perfectly ready to admit the ability of Executive Members as individuals. The learned eloquence of the Hon. Attorney General has always, since I have had the honour to sit at this Council Board, impressed me with a deep sense of the advantage of thorough forensic training; and the power and force of the reply of the Hon. the Chief Commissioner has ever and again made me feel with especial force the utter hopelessness of combating stern official reticence, with even the most brilliant powers of oratory. Yet, Sir, whatever our admiration for individual excel-

lence, however great our estimation of personal worth, the question has still remained unanswered, and in my opinion, unanswerable. What is there in the collective wisdom of these Honourable Official Members that entitles them to arrogate to themselves the right to rule? Are they, I ask, the dominant race, and are the people serfs?

We have heard a great deal about absorption, and the danger of the larger body swallowing up the smaller. I think about as much of that danger as I do of the other evil threatened in such earnest and thrilling language by the Hon. Member for Victoria, namely, that our salmon would, under Confederation, and the protection from salmon nets that would be extended to them, increase and multiply to such an extent that they would absorb all the smaller fish. I, however, to speak seriously, doubt very much if the Hon. Member can cite a single example in History of the larger absorbing the lesser, unless the larger possessed better qualifications as in the case of the absorption by British Columbia of Vancouver Island. Sir, we must give up all personal prejudices, and we must bend our minds to the establishment of a great British Empire upon this Pacific Coast.

Lord Macauley says that "Governments are made for the people, and not the people for the Governments." Yet, Sir, how different seems to be the course of reasoning in this Colony. Here we have a strange compound of sickly representation and unpopular officialdom. The want of Responsible Government has become intolerable; the people have ceased to respect the Government, and the Government seem to be doing their best to educate the people up to hating the officials. There is to my mind, Sir, no necessity for the continuance of such a state of things, only let the peoples' voice be heard, and there will be a change. The overwhelming preponderance of the official element in this Council, and the presence in the Legislative body of officials who are paid by the people, and yet are not responsible to them, is the real cause of the alienation of the hearts of the people from the Government. The votes of these Hon. gentlemen must always oscillate between their own interests and what their own consciences dictate to them as for the good of the country. It is our duty, Sir, to bring back the hearts of the people. We must have a Government by and for the people. This is what I believe the people really require, and this and more, if necessary, the Government must be prepared to give them. The people of this Colony will consent to no arrangement which has not for its foundation—Responsible Government. We must be prepared to pull down and demolish the old structure, in order to rear up one that shall endure—as a Government secure in the affections of the people only can endure. I warn Hon. gentlemen that they must endeavour to recover the wills of the people; then, and not till then, will return that prosperity which we all desire to see.

I hope, Sir, that the Executive will not attempt to make any arrangement with the Dominion Government which does not include popular self-government. The people will never accept Confederation without Responsible Government.

We must first get the tree—Responsible Government—and we may afterwards, with some reason, hope to get the fruit. I say, Sir, that it is a gross libel upon the intelligence of the people of this Colony, to say that we are not fitted for self-government. In no country can you find men better capable of governing themselves, and of managing their own affairs, than in this Colony. I hold, Sir, that the greatest enemies of the people are those who always endeavour to blazon forth their learning. I am proud to say that I am of the people. My education, if not of so high a culture as that of some Hon. Members of this House, has at least enabled me, up to this time, to make my own way in the world, unaided by official pay and without the assistance of official favour or influence. And when I hear Hon. Members speaking of the people as a class unfit for self-government, I find it difficult to believe that such a set of men are the same as have been speaking before, in this House, and outside on Confederation.

In conclusion, Sir, I say fearlessly that Responsible Government is a *sine qua non* in the terms of Confederation. Place what conditions you will before the people, without the condition of Responsible Government, and Confederation is killed.

Confederation means to Official Members a pension, to the people it means self-government, and I say, Sir, that above all things, we must keep in view the absolute necessity of keeping control of our own local affairs, otherwise Confederation would be useless to the country, and I warn Hon. Members at the other side of the House, that to exclude Responsible Government from the terms, is to ensure defeat for the whole Confederation scheme when it comes before the people at the polls.

The Hon. MR. CARRALL, Member for Cariboo, said:—Mr. President, I did not intend to open my lips during this debate; indeed I am left with very little to say by the Honourable gentlemen who have preceded me. I have taken notes with a view, if those assertions which were put forth were not answered, of replying to them.

For three days I have sat at this Board and heard discussions *pro* and *con*. I have heard nearly every word; certainly every argument which Honourable Members on both sides have adduced; especially have I listened to every argument of those who are in opposition, and I believe that nothing remains unanswered—in fact but a few crumbs are left for me. Another reason why I did not desire to make a speech is that my principles are pretty thoroughly known, and I deem it almost a work of supererogation to reiterate my sentiments.

But as this debate as to whether we should go into Committee or not has taken such a serious turn, I think it right and proper to say a few words. Whoever knows me through this Colony, or through British North America, knows that my principles have never changed on this great Confederation question. I have always maintained that the fragments of empire lying loose, so to speak, in British North America, east and west of the Rocky Mountains, should be united and consolidated under one Government. The question of the confederation of the whole Colonial Empire of Great Britain is one that has always appeared to me to be replete with the greatest interest, and I trust that I may be spared to see this consolidation consummated.

With regard to the advantages that Confederation will bring to British Columbia, it is almost forbidden ground, for the advantages are in reality part of the Resolutions. If I allude to them I am forestalling the debate on terms, and as I should not be in a position to prove anything which is in futurity, I had perhaps better abstain from touching upon the subject. However, this much I will say, that, after sentiment and loyalty are disposed of, it becomes a question of advantage.

The terms sent down to this House, in my opinion, warrant our acceptance of them in their entirety; but if the House think otherwise, I may, I am sure, go so far as to say that the Executive are open to receive suggestions, and that there will be no objection to adopt any suggestions which will not be likely to jeopardize the success of the whole scheme. In this conviction, I do not propose to go over the ground that has already been taken up. But I must allude to what I cannot help calling the feeling of over-care and caution which has been displayed throughout this debate.

I believe, Mr. President, that you are an Englishman, and as a nation I think you express too much caution, fear, and anxiety with respect to the course which Canada might pursue. I do not speak personally, but such appears to me to be the characteristic quality of Englishmen, and it has especially cropped out during this debate. I say that I believe we are treating with a far-seeing, fair-dealing set of men who would never forfeit their word, Statesmen who would be incapable of offering "mean conditions," even if we of British Columbia would accept them. They will give us terms to make us happy and contented. Another reason for our feeling confidence in the future is that we shall have under these terms, as the Hon. Member of Victoria District says, an enormous proportion of Representatives at Ottawa, and I presume that each of these Representatives will have a voice and the gift of speech.

It is fair to augur that the Dominion Statesmen will give us what will make us contented and prosperous. In touching upon this point, I should like to make an historical



allusion, and for example I would refer to the present condition of the Union between Great Britain and Ireland. ["Hear, hear," from Dr. Helmcken.] When Hon. gentlemen say "Hear, hear," they may think I have given an unapt illustration. We, however, know that the number of Ireland's representatives, amounting to something over one hundred, have enabled the Irish members of the British House of Commons to hold the balance of power and the bulk of patronage between the great contending political parties, and by swaying between the Gladstones and Disraelis, or other leaders of the day, they have frequently been able to turn the scale so as to obtain what they desired, and to secure a liberal share of the patronage to office. I maintain, Sir, in this connection, that if British Columbia found that by reason of her small representation, large in comparison with the representation of the different States in the Congress of America, I say, that if British Columbian Members found that there was any disposition to tyrannise in the Dominion House of Commons, which I do not for one moment fear, they could make common cause with other small maritime Provinces against Canada proper. To quote the words of the Hon. Chief Commissioner, I believe that British Columbia will be a pet Province of the Confederacy. I try, Sir, to avoid speech-making, the time for that will be in Committee. I do not hope to sway a single vote by any remarks that I make. I believe that every Hon. Member came here, previously prepared, to vote one way or the other, and I do not think any eloquent orators, and much less any feeble words of mine, will cause one of them to change his opinion. But I make a speech in order that a record may be taken of it, and my constituents may be able to see that I was not dumb. I believe, I say, that all Hon. Members came down with their opinions formed, as to whether the amendment of the Hon. and learned Member for Victoria, or the proposition of the Hon. and learned Attorney General, which was so ably put before us, should be carried. I sincerely hope, however, that Hon. Members will join me in voting down the amendment, and in supporting the motion of the Hon. Attorney General. This is, emphatically, the question of the day, and the policy of the Government should meet with a liberal and warm support from every Member of this Council, in order that the question may be fairly brought before the people for final decision.

And here, Sir, with the permission of the House, I will say one word upon the course pursued by the Government. The Executive Council have been actuated by motives of duty only, they have brought down these Resolutions, based on a broad view of the whole subject, and they ask you to make suggestions and additions. [Dr. Helmcken—"No, they don't."] Yes, Sir, I maintain that the Executive do so, and I will maintain it with my last breath. The Executive are pre-

pared to consider, and if possible give effect to, every amendment or suggestion of this Council, provided it does not jeopardize the success of the scheme with the Canadian Government. The final verdict must come from the people, and I can safely maintain that nothing could be fairer.

Among things brought up in the course of this debate, the questions of Tariff and Responsible Government occupy prominent positions. I think the Hon. Member for Victoria District has taken right ground, when he said that it was competent for the Dominion Government to alter and amend the tariff so as to protect every vested interest in this Colony. I am no lawyer, but I believe the Canadian Statesmen are sufficiently far-seeing to take care that not an interest in this Colony shall suffer by the Resolutions which we are about passing. With regard to the Dominion Tariff, people thought that the abrogation of the Reciprocity Treaty was the death-knell of the independence of Canada. I have lived, however, to see her more prosperous by that abrogation. It has taught her to develop her own resources, and to become self-reliant. After she was prevented from going to the United States, by that abrogation, she turned her attention to her own resources, and I believe she is now going to be one of the most progressive nations upon the earth. Undoubtedly, she is determined to progress westward, until she reaches British Columbia and the Pacific; and with all her progressive tendency she will not abate one jot of the loyalty for which, now as ever, she is distinguished.

Now, with regard to Responsible Government. ["Hear, hear," from Mr. DeCosmos.] I desire to touch lightly upon this subject in passing, because I have been told that my popularity has suffered by some remarks to which I gave utterance in this House upon a previous occasion. Much as I value popularity, I must on this question express my honest and conscientious opinion as an individual. I believe that I was the first to break ground on the question of Responsible Government, in connection with Confederation. I did it, not hastily or thoughtlessly, but on conviction; and I maintain that so long as I do it honestly, I am free to say what I please, as an individual, upon this matter. I do not believe, Sir, that, with our present population, with our people scattered over a vast extent of thinly populated country, and having regard to the various conflicting interests consequent on remoteness from the centre, the principle of Responsible Government cannot be satisfactorily applied to this community at present. I believe entirely in the ability and fitness of the Anglo-Saxon race to govern themselves, but I say that the time has not yet arrived under which that particular form of government, generally known as Responsible, can be satisfactorily worked in this Colony. I believe that the scheme foreshadowed by the Governor for Representative Government will be the best that, under present circumstances, the Colony can have. The popular members under that

system will have a clear majority, and, consequently, the people will have the control of the purse-strings. I do not speak these words as a member of the Executive Council, but as the expression of my own deliberate opinion. Sir, I was not sent here pledged to any particular platform. My constituents had confidence in me, and were content that I should act on my own judgment. Speaking officially, I say that Responsible Government is not a question of Union. The Act of Union gives us the exclusive right to alter our own laws with respect to everything connected with the internal and local Government of the Province, so long as the Federal prerogative, if I may so call it, is not infringed. If the majority of the people want Responsible Government after Confederation, neither Governor Musgrave nor any other power on earth can prevent their having it. It is unfounded, unfair, and unjust, on the part of those who are opposed to the Government on the question of Confederation, to endeavour to put any other complexion upon the matter.

With respect, Mr. President, to the remarks about Cabinet Ministers and Executive Councillors, which have fallen from certain Hon. Members, I will only refer to the work that the Executive have laid before this House. From the general approbation which has been tendered, both in this House and on the outside, to the terms of Confederation which have been sent down by the Executive, I think that I am fairly entitled to assume that our labour has not been in vain, and that it has given satisfaction. I thank this Council for the words of encouragement and approbation with which they have accepted these conditions, especially those who have endorsed them. No one, not even the Hon. Member for Victoria City, can say that it is not the wish of the people that this question should be discussed, and ultimately dealt with by the people.

A charge has been preferred by the Hon. Member for Victoria District, against the Hon. Attorney General and the Hon. Chief Commissioner, to the effect that they had turned their coats and changed since they had given votes upon Confederation in this House upon a former occasion. If they have changed, I maintain that upon conviction they are not to be blamed for doing so. It was well known that the Hon. gentleman had stated, or at all events I have always so understood it, had a telegram, or some other information from head quarters, more than a year ago, to the effect that the Dominion Government were not prepared to negotiate terms to Confederation with this Colony, until after the settlement of the Red River question, which was then pending with the Hudson Bay Company. The Hon. Attorney General, and the Hon. Chief Commissioner took this same ground last year. They were of opinion that nothing could be done to further Confederation satisfactorily, until the sovereignty of the Dominion was established in the North-West Territory. Both assured me privately that they were in favour

of Confederation, and I say that they entered into the consideration of the scheme without mention of pensions being secured to them. Who, I ask, are Confederates? The people most unquestionably; and could we, the people of this Colony, ever have made Confederation a successful issue, unless it had been taken up by Government. His Excellency Governor Musgrave has done nothing but what Prime Ministers do every day, in making this a Government question. On the part of the Government, I cordially invite the assistance, co-operation, and earnest deliberation of all Members of the Council to the scheme—a good one—and after we have done our best with it, we must leave it to the people.

Before I close my remarks, Sir, I must allude to what fell from the Hon. Member for Victoria City, whose opinion and lightest remarks are always received and listened to by this House with the greatest deference and respect, and every wrinkle of whose brow is a notch in the calendar of a well-spent life, for whose character as an individual I have the highest reverence and esteem. I cannot but say, however, that in my opinion, and I believe in the opinion of this House, what the Hon. gentleman did say about another possible issue, was ill-timed, inopportune, and unhappy; and, Sir, I deem it my duty as a Member of the Executive Council to say, that if he did intend to foreshadow the idea that the other union, to which he made ill-timed allusion, could ever be an issue in this Colony, he entirely misrepresented the views of the Executive Council. In this connection I desire to say that, in common with the Chief Commissioner, I feel a great respect for our neighbours of the Great Republic; I honour the country and its institutions; particularly I esteem the people of America in the exercise of national and domestic relations; they are true Anglo-Saxons; they are at this moment lavishing an amount of hospitality on Prince Arthur, which would do honour to any nation. But, whilst professing great respect for the people and for the Government of the United States, I confess that I do not like their political institutions. I have many friends in America, and I have spent some time there myself, in their military service, but I left America a greater Canadian than ever. And I say, Sir, that I deem the action taken by certain foreigners here, in getting up a petition, which has perhaps been brought into more prominent notice than it was entitled to, exceedingly unhappy, and I know that I speak the sentiments of my constituents when I say so. These foreigners have received every hospitality, and have been treated with respect and liberality in this Colony; they enjoyed all the rights and privileges to which they would have been entitled in their own country, and perhaps more; they have acted foolishly towards the flag that sheltered them, and have abused the hospitality which has been extended to them in getting up this petition. If any British subjects signed it, I consider them unworthy of the name; they would be better in the chain-gang.



I must refer once again to the Hon. Member for Victoria City. He said that patriotism was dead in this Colony; that interest and self-interest was paramount, and that the dollar was supreme, and was the only patriotism. [Dr. Helmcken—"What? what? I said nothing of the kind."] I maintain that the words were used, and I say that the Hon. Member misunderstood or misrepresented the feelings of the people of this Colony in saying so. It is, perhaps, unbecoming in me, who have not the stake in the Country and who have not the status, domestic, monetary, or political, of most other gentlemen round this Council Board, and who have, comparatively speaking, but lately come to the Colony, to express an opinion; but nevertheless I do say that patriotism is not dead in this Colony, and that the people are as patriotic, noble, and generous-hearted as any other people in the world.

Hon. MR. HELMCKEN—Sir, I rise to a question of privilege. I cannot allow the Hon. Member to make a speech about something I did not say without correcting him. I said that this Colony had no love for Canada; the bargain for love could not be; it can only be the advancement of material interests which will lead to union.

Hon. MR. CARRALL—I maintain, Sir, that I have not in any way exaggerated what the Hon. gentleman did say; and I conclude by saying that the people of British Columbia are loyal, honourable, and true, and when they give their adhesion to the Dominion they will uphold the British flag, as they always have been upheld—

The flag that has braved a thousand years  
The battle and the breeze.

The Hon. MR. ALSTON, Registrar General, said:—Sir, I should not have risen to attempt to make a speech at this late hour, had it not been from the peculiar position which I occupy in this Council, and I feel that I ought to apologise for detaining the House, even for a few minutes, after the very exhaustive arguments on both sides have been heard with such patient attention.

As I am neither one of the Executive, nor a Representative Member of this House, I have to satisfy my own conscience, and as it is probable I may not have another opportunity of expressing my opinion on the principle of Confederation with Canada, I must beg leave to say a few words.

It will be unnecessary to follow up the subject at any length, as I believe that the principle of Confederation has been virtually conceded. I give the Hon. Member for Victoria District all the credit that may be due for the consistent way in which he has agitated this question for years past, and probably the reason why the matter was not earlier brought to a successful issue through that agitation, was that either he did the right thing in the wrong way, or that he lived before his time. From 1867 to the present time, the question has been discussed in successive sessions of the Council, and it has been declared in effect that, at some future

time, Confederation would be of advantage to this Colony. The Imperial Government have now spoken out unmistakeably in the matter, and have decided that Confederation shall take place. It seems that those who have the power to shape the destinies of this Colony have decided that it is to take a part in the great scheme of Confederation of the British North American Colonies, and have not hesitated to throw the whole weight of their enormous influence in the scale to effect this object; the Canadian Parliament manifestly urge this matter as a necessary part of their scheme; and last, though not least, a large portion of the people of this Colony cry aloud for it, as a panacea for all their ills. Downing Street has not hesitated to guide and control the opinions of Her Majesty's Servants in this Colony. Whether this be wise or prudent on the part of the Secretary of State for the Colonies, in view of the present constitution of this Colony, it is not for me to say, but it is of no use blinding our eyes to the fact that they who have the power will—and for aught I know should—exercise it.

It was fitting, then, that the Executive of this Colony should take the initiative and undertake the responsibility of placing the matter before the country in a tangible shape. I rejoice that they have done so, and that the working out of the basis of arrangements has fallen into so able hands, for what other party have the power to do so? If they had not preoccupied the ground, who is there? What party is there in this small community commanding sufficient general respect, that could have undertaken this important duty, with any chance of success?

Now, Sir, the Resolutions before us form no final measure, no unavoidable and perfected conditions. I look upon them simply as the basis of arrangement—the initial step in the negotiation of the business. If it had been otherwise—if these were proposed as final conditions upon which the people of the Colony would be allowed to pass no vote, over which they would exercise no control. If the Government had said to this Council, you shall have these terms or none, I would have voted against them, or retired from this Assembly. But the Governor has declared that they shall be submitted to a popular vote, and ratified by a really representative and reconstructed Council.

That being so, I can give them my conscientious support, not only because I deem it to be my duty to support every well-considered Government measure, but because I believe them to be, as far as they go, reasonable, fair, and advantageous. Before now, a Government measure has claimed a support, but a reluctant one; in this case it is not so. I trust I may be allowed to render my small tribute of thanks to the Hon. Member for Victoria City, who with great self-denial has undertaken an unenviable position, one which, of necessity, would lay himself open to attack and misrepresentation; but one in which he has done and can do great service to his country. I think

I can see, in the Resolutions before me, evidences of this service; traces of his handiwork; and although he cannot give the measure his support, I feel sure, though I desire not to penetrate the secrets of that mysterious chamber, that he has done all in his power to render them as beneficial, or rather, as the Hon. Member himself would say, as little hurtful as he could to the best interests of the Colony.

When this subject came up for discussion, in the last Session of this Council, I joined those who were supposed to form the Confederate party, and moved the following Resolution:—

That, however, desirable Confederation with Canada may hereafter become, this Council believes that until the great Territory intervening between this Colony and the Dominion is transferred to the Crown, and contains a larger and more settled population, it would be premature to express any definite opinion on the subject.

It is unnecessary for me to say anything in favour of the principle of Confederation. It is admitted in the Resolution which I have just read. I take it, Sir, that the obstacle there referred to will be speedily removed; that the small band of disaffected spirits will soon disperse, and that the machinery of Government will shortly be put in motion; and though I do not take pleasure, like the Hon. Member on my left, in revolution, political hatred, agitation, and blood and thunder generally, I am not disposed to regret the occurrence of the difficulty in the Red River, for it will teach the Canadian Government, and the Imperial Government, and all Governments, that though you may buy and sell territories, you cannot transfer the human beings therein, like so many serfs and chattels, to a fresh allegiance with impunity; that the consent of the people must be first obtained; and that though the soil may be sold, the soul is free. This measure was, to a certain extent, forced upon the Government by the people of this Colony. It is said that the people clamour for a change in the Government. Why, Sir, we have had changes enough during the time I have been in the Colony, to ruin any country; changes generally for the worse. ["No, no," from Mr. DeCosmos.] But whether Confederation comes or not, there is one change more which I hope to see before this year expires, and that is a change in the Constitution of this Council. I desire to see all the Members, save the Executive Officers, elected by the people; and this change is promised by the Governor.

I hope, also, that the Colony will so prosper, and the population so increase, that before many years another change will come, that is to say Responsible Government. At present, I believe we are not fitted for it; it is practically impossible, and the Governor has had the courage to declare it. I would gladly believe that the cry for this panacea for all evil does not come from those who would

fain jump into vacant places, and enjoy what they are pleased to term bloated idleness. Such pharasaic patriotism was so well exposed by my much abused friend at the bottom of the table (Dr. Helmcken), that I will not further allude to it. But I say, Sir, that if they can find public servants who will perform their duties better and more perfectly, let them in God's name come on. I am content, for one, to give place to better men. Now is the opportunity offered. But, Sir, I am rejoiced that this measure has come down from the Executive; it will, when accomplished, give us rest I hope from this everlasting change. The farmer, the artizan, the capitalist, and the merchant will know what to expect, and will make their plans accordingly. Years ago, the farmer naturally expected that the Free Port system was settled and approved of. Agitation commenced, the farmer and the merchant could not carry on their pursuits without anxiety, and the Colony suffered. The Free Port was abolished—that grand political mistake,—Union with British Columbia was effected, and a heavy tariff imposed, and business calculations were confounded again. But this Colony and the people have such elastic force, that they are again beginning to settle themselves down to the new order of things. Business went on, it is true, but, nevertheless, it suffered; and for the last two years agitation has again been at work. The farmer is alarmed; he is prosperous at present, but he dreads (unnecessarily I think) what will be virtually to him the Free Port system again; and so alarm, and change, and unequilibrium are for ever distracting this small and struggling Colony, which, unless it had immense vital energy, and enormous latent strength, would long ago have succumbed. I see, however, in the prospect before us, a sign of better things—a more hopeful future—a state which when consummated will, I believe, secure a more settled life to the Colony.

I do not fear for the agricultural interest, for I believe the only protection which the farmer requires, is the protection of good roads, good laws, and an easy communication with the markets where he may best dispose of his produce. Self-interest, if no other reason, will induce the Canadian Government so to modify the Tariff as to endanger as little as possible the various interests, agricultural and otherwise, of the Colony. I firmly believe that Canada will deal justly with us; at any rate, it is our duty to deal frankly and in a friendly spirit with the Canadians, until we see signs of a contrary spirit animating them. I am ready to shake hands across the Rocky Mountains with our Canadian brethren; let us not open negotiations with clenched fists.

As regards the paucity of representation allowed to us in the Dominion Parliament, after what has been shown so clearly to us by the Hon. Member for Victoria District of the analagous right of representation enjoyed by the Pacific States of the American Union, I think we cannot rightly expect more.



My Hon. friend on my right (Mr. Wood) who certainly has placed the objections and arguments against Confederation forcibly before the House, says that Confederation means an union of equal States self-governed, and is equivalent to absorption. I doubt whether this is historically correct. But, Sir, whether that be so or not is beside the question, for the Resolutions which are before us are in fact Resolutions for the *Union* of this Colony with Canada. *Union* is the term used in the Organic Act, and the term Confederation never once occurs. It is *Union* we are seeking, not Confederation. The American States are States of the *Union*, not of the *Confederation*, and it has been conclusively shown that in that Country the separate States are not absorbed, although united.

And again, Sir, we were told that we are selling our independence, and transferring our loyalty. Not a bit of it. If the people of this Colony pass the measure, surely their verdict is not one of slavery, unless they be slaves themselves, and yet they are free to act. This measure will not pass unless the people of this Colony are willing that it should, and declare unmistakeably that it is for their benefit. Whatever I may individually think, I shall bow to the free popular decision, and be prepared to believe that the *vox populi* is the *vox dei*. In so great a measure, I trust the people may be guided to a right conclusion.

As to loyalty, I need add no more than has already been said so forcibly by the Hon. Attorney General and the Hon. Chief Commissioner of Lands and Works. Hemmed in to the north and south by a people owning a different allegiance to our own; forced back to the sea to the west, the only direction in which loyal hearts can turn is to the rising people of the east, who ask us to unite in a friendly spirit with them, to form a great Nation. May that union prove a source of strength to us and them.

I shall give to the Government measure a hearty support, reserving, however, to myself the right of suggesting any amendments or improvements, or of supporting any recommendations which may appear to me to be necessary or desirable.

From the position which I hold in this Council as an Officer of the Government, I have deemed it right to make this statement of the course which I propose to follow in this great and momentous subject, and I maintain it to be perfectly conscientious and perfectly consistent with my previous conduct.

The Hon. MR. DEWDNEY, Member for Kootenay, rose and said:—Mr. President, I have purposely waited until this late stage of the debate in order to avail myself of the opportunity of listening to the arguments that have been adduced both for and against the scheme of Confederation as sent down for our consideration by His Excellency the Governor, and particularly for the reason that I have not been in a position (from my long absence in the Upper Country) of mak-

ing myself acquainted with the subject as I should like to have done.

As the debate progressed, I felt more and more that I had been right in so doing, as I have now the benefit of the well considered opinions and arguments of so many Honourable Members; and upon these able arguments I have in a great measure been guided in coming to the conclusion which I propose to explain.

And now, Mr. President, I think it is incumbent on me to state the course I intend to take with regard to the subject.

I feel I have a most responsible duty to perform, not only to my constituents, but to myself and the country generally.

With regard to my constituents, I feel that I am placed in a rather peculiar position, and I regret that I have had no opportunity of communicating with them since Confederation has assumed the phase it now does.

You are aware, I presume, Mr. President, that I was selected, unsolicited on my part, to represent the Kootenay District in this Council. At that election Confederation was made the test question, and I can assure you that at that time the feeling of the majority of my constituents was opposed to Confederation with the Dominion of Canada.

At a subsequent period—only a few months ago—a petition, concocted in this city, was dispatched to Kootenay for the purpose of obtaining signatures in favour of Confederation. It was, however, unfavourably received, the party circulating it was roughly handled, and the petition returned a blank. I mention this to shew you that up to a late period my constituents held the same views with regard to Confederation that they did some eighteen months ago.

Shortly after this petition had been dispatched to Kootenay, as just mentioned, I wrote to my constituents, requesting them to advise me fully with regard to their wants and wishes; and, in reply, I received a communication setting forth what they specially desired that I should assist in obtaining for them, but not one word on the subject of Confederation.

I have now before me the terms submitted by His Excellency the Governor at the opening of this Council, as well as the paragraph in His Excellency's Speech, referring to those terms; and I must say that had I resided as near my constituents as the Honourable Members for Victoria and Nanaimo Cities do to theirs, I should most certainly have sought an opportunity of meeting them and obtaining some expression of their opinions on the now altered position of this question. But as the remoteness of my District has rendered such a course impossible, it is only left for me to exercise my own judgment.

I wish to cast no reflections on the Hon. Members referred to, and with regard to the Hon. senior Member for Victoria, I consider the action he has taken on this question only forces stronger and stronger on my mind, and I believe on the minds of the people, that any matter entrusted to his care will always be dealt with conscientiously, and

with due regard to the feelings which he believes his constituents entertain.

Had I had an opportunity of submitting to my constituents the question of Confederation in the light that it now bears, I do believe that their opinions would be in unison with that of the country generally, in favour of Confederation on the terms now proposed, and being of that impression I intend to support the motion of the Hon. Attorney General. I feel assured that the vote which I am about to give will meet with the approval of my constituents.

I should feel some hesitation in supporting the motion of the Hon. Attorney General, were it not for the assurance given in His Excellency's Speech, that the action we may now take will not be final until ratified by the general verdict of the people.

I trust I have now stated openly and fairly the position in which I stand, and the course I intend to pursue. I propose, Mr. President, to support Confederation with terms, and I believe that is the stand that will be taken by all the Hon. Members who support Confederation at all.

With regard to the terms proposed for our consideration, it will be open for me to discuss them more particularly in Committee; but I may here state generally, that I consider they are only what the country is fairly entitled to demand, and I shall support them probably as they stand; and, at the same time, shall be ready to give my vote to any address that may be forwarded to His Excellency, recommending the insertion of other terms that I believe may be advantageous to the Colony.

Mr. President, I must now thank you for the kind attention you have shewn me in listening to the few remarks I have felt bound to make; and I have now only to say, that as soon as the terms are decided upon by this Honourable Council, and placed in the hands of His Excellency, I, for one, shall feel perfectly confident that future negotiations will be brought to a successful issue.

I have acted conscientiously in this matter, and I am sure I shall not regret the action I have taken as long as I live.

The Hon. MR. HELMCKEN, Member for Victoria, in reply, said:—Mr. President, every word that I spoke I am willing to abide by, but I have no wish to be misrepresented. I never said that patriotism was dead in this Colony; and I have not yet advocated that closer Union with another country, to which allusion has been made, as the other issue to come before the people; but a strong feeling does exist in favour of that other Union, and it is just as well that the Dominion Government should know that there are very many people in this Colony who think that Annexation would be far more advantageous than Confederation, and who have no love for Canada. I maintain that the people of this Colony do not desire Confederation; they desire these glittering terms; take away or reduce the terms, and

the people don't want Confederation—will not have it. I have never seen any programme proposed by the Confederation party, and it is certainly to the credit of the Government that it has sent one down [Hear, hear,] which has taken even the Confederationists by surprise. I once saw a scheme brought before this House, which included no Railway, no Dry Dock, a small Subsidy, and the Dominion Tariff, objectionable as it is acknowledged now to be. It was defeated. The new scheme asks more, and so the country has gained by the delay.

But, Sir, the Hon. Members of this Council have been arguing as though these terms had been obtained—aerial castle building. I say they are only propositions. I have not heard one Member say those terms must be had, or no Confederation.

[Hon. MR. DECOSMOS,—I stated yesterday, that if certain terms were not granted I should oppose Confederation.]

I expect to see you an opponent of Confederation before long; probably we shall change sides [Laughter]; but until these terms, or terms that will be satisfactory to the country are arranged, I shall not cease my opposition to Confederation. I think it necessary to say a few words in explanation of my position. I do stand here a Member of the Executive Council, whether I gave in my resignation or not, is not for the Hon. Member for Victoria District to know; I shall not gratify his curiosity; he should recollect, however, that party Government does not exist here.

I have opposed the Government on Confederation. I think it probable that when the terms come back from Canada they will bear but little resemblance to themselves; so until the Country is satisfied I will oppose Confederation. It is sufficient that the ultimate issue now rests with the people themselves; and I hope they will band themselves together to demand these or better terms.

Thus far the question is lost to me in this Council. I am beaten by the Imperial Government, by the Canadian Government, by Lord Granville's despatch, but more than all by the alluring terms and a Government majority,—by no one else. In this Council, the Executive Council has repeated itself. I intend now to offer no factious opposition to the conditions, but it will be my duty to point out what I consider faults, and though I will support the terms as they are, or nearly so, others must go in. I will not attempt to introduce anything which Canada cannot concede; so that on the one hand, Canada may have no excuse to refuse to accept the terms, and on the other, if Confederation does come it may come accompanied with conditions that will be beneficial to the material interests of the Colony. I now bide my time; when the terms are agreed to by Canada return, the people may find them changed, and not so attractive and enticing as they now appear.



In going into the Executive Council, I did so at a loss to myself. [Hear, hear, from the Hons. Attorney General and Chief Commissioner.]

After all, the Supreme Power hath made of one blood all the nations of the earth, and hath determined beforehand the bounds of their habitations. We are but instruments in carrying out this design, whatever it may be.

In the position which I now occupy, I have sacrificed no principle, forfeited no pledge, maintained my own honour, have done my duty, and I hope some good, to this Colony.

The Hon. ATTORNEY GENERAL said:—Sir, In rising to reply, I have to acknowledge and thank the members of this House for the care and attention which they have bestowed upon this great and momentous question, which I have had the honour to introduce to their notice.

With regard to the very decent, flattering, and personal remarks towards myself, in which the Hon. Member for Victoria District (Mr. DeCosmos) has been in the habit of indulging for several years past, the House is so familiar with that gentleman's habit towards all his political opponents in that respect that it has learnt to estimate them at their proper value. I will not, therefore, waste the time of the House by any further comment on them. I will not condescend to notice them [Hear, hear, hear, hear] but proceed to subjects of more general interest.

I maintain, Sir, that liberal Representative Institutions for this Colony are not dependent on the success of the scheme of Confederation; they are in no way connected with it. Confederation is, however, the easiest and quietest way of getting Responsible Government, should that be found after deliberation to be really desired so ardently by the whole community as some Hon. Members aver. To those who conscientiously believe in Responsible Government, and that the real desire to the Country is for it, or as the Hon. Member for Victoria District says is a "unit" for it, I say fling in your voice with us; these Resolutions will most speedily assure the result you desire. If the people, after careful deliberation and full information on the subject, whether we be confederated with Canada or not, really desire Responsible Government, they will have it. Their voice will be heard on this particular question, as on all others connected with Confederation. But it is the hollowest pretence to assert that Confederation should be stopped till the Governor can send down a scheme for Responsible Government. If we do not get Confederation we shall still have our own Representative Institutions, and once possessed of Representative Institutions under the Imperial Statute of Victoria, the Colony will, if it be such a unit as described, be able at once to get Responsible or Party Government. Now, I earnestly deprecate, on the part of the Government, the unfair allegation which one Hon. Member has so improperly insinuated that the Government or Government Officials considered the people of British Columbia unfit for self-

government. Why, Sir, neither the Governor nor any member of the Government, or any other Official, ever said or thought that the people of this Colony were individually or collectively unfit for Responsible Government. The utmost that has ever been said on this side of the House has been that, under the present *circumstances of the Colony*, it would be unwise, excessively costly—nay impracticable. As I have said before, and again repeat, the Governor has no power of himself to alter the Constitution. He can only refer it where it has already gone, to the decision of the Queen in Council, which we ought in common justice to await before bringing forward any Resolution for Responsible Government. Now, how would the Country, if a unit on this point, get Responsible Government after Confederation? After Confederation the people can have Responsible Government, if they desire it, under clause 92 of the "British North America Act, 1867," by which power is given for the Provinces to change their own Constitution.

The Hon. Member for Victoria City (Dr. Helmcken), has alluded to the Hon. Member for Victoria District having prepared a scheme for Confederation, now on the Journals of this House, which did not contain any reference to Responsible Government, or the Overland Railway, possibly in view of this very section 92 of the Organic Act. The Hon. Member for Victoria District may have considered that Confederation would, as a natural consequence after Union, bring Responsible Government. If so, I trust he will vote with us now, [Hear, hear, hear.] and leave a matter of such importance to be settled, not by a House constituted as this is, but by a House containing a majority of Representative Members elected by the country, after the question of party Government has been specially submitted to the polls.

I ask the House to deal with this subject on its merits, apart from all side issues, such as the special form of the Government which is to subsist at the time of Union, which is really not now before us. I ask them to place a generous trust in Canada. I acknowledge the encouraging manner in which the Council has dealt with this question, and sincerely trust that all parties and sections in the House, setting aside all prejudices and sectional issues, will unite cordially, frankly, and unanimously in giving a generous support to the Government, and thus strengthen their hands for the country's good in all future negotiations. [Hear, hear, hear.]

The Hon. Mr. Drake, junior Member for Victoria, asked permission to withdraw his amendment.

Leave having been granted, the amendment was withdrawn.

The motion of the Hon. Attorney General to go into Committee was then put, and carried unanimously.

The House then went into Committee of the Whole on the Confederation Resolutions, and immediately rose, reported progress, and asked leave to sit again.

Leave was granted to sit again on Monday, at one o'clock.

## Debate in Committee of the Whole on the Confederation Terms.

**Monday, 14th March, 1870**

The House having resolved itself into Committee of the Whole on the Confederation Resolution, as arranged by His Excellency the Governor of British Columbia, the Hon. Mr. Ball in the Chair.

On the motion of the Hon. Attorney General, the Chairman read the Resolutions through.

The Hon. the ATTORNEY GENERAL said:—Sir, I rise to propose the adoption of the Resolutions as sent down to the House, having as its object the Confederation of this Colony with the Dominion of Canada. I desire to consult the wish of the Council as to the particular mode in which the terms should be discussed, whether as a whole or in detail, paragraph by paragraph. But before doing so I think it right, Sir, to make a few brief remarks on the Resolution as a whole. The conditions have been prepared with great care, and after the exercise of deep thought and mature deliberation on the part of His Excellency the Governor and the Executive Council. The subject is one of so large a nature, and of such paramount importance, so many interests both here and in Canada are at stake, and the issues involved are so extensive, that I sincerely hope that all Hon. Members will bring to its discussion an earnest desire to combine their individual efforts to work out a successful result, and to throw aside, for such an occasion, all former prejudices and distrust; and as we have unanimously affirmed the principle, the House is committed to Confederation in the abstract ["No, no," from Hons. Helmcken, Wood, and Drake.] Well, I think so, and the House will think so too. It has so voted. However that may be, I hope that we can all now act harmoniously together, and see whether we cannot now turn out such a scheme as will work well in practice; be just and equitable to Canada, who will certainly be just and equitable to us, and yet be so favourable to this Colony as to insure the terms ratification when submitted to the popular vote. All Hon. Members, whatever their opinions, desire the same thing, namely to get the best terms practicable for the Country; and the proposition now sent down, which is based upon the "British North America Act, 1867," contains, I submit, the best terms that can be devised, and will give the Local Government as large an annual balance of cash for local purposes as we can venture to ask. There is one danger against which I think it my duty to warn Hon. Members, and I do particularly caution those who favour the idea of Confederation against attempting to weight the conditions by additional suggestions and recommendations so as to overload them, and

against suggesting alterations in the terms which could not be granted by Canada. I believe we are all equally anxious to gain good terms, and we should be careful not to take away from the interest of the proposition before us by suggesting any other conditions that are not of material importance. I have observed a report in a newspaper of the previous proceedings of the Council, if I may be allowed to notice it without producing the paper, in which an Hon. Member is stated to have said, that any amendments of the Resolution would be accepted. I think it right to say, on behalf of the Government, that, while the Government can not consent to imperil the unity of their scheme by amendments, they will still be happy to receive, and fully consider, all suggestions of a practical and reasonable character; and I invite Hon. Members to bring forward such suggestions, particularly such as will be calculated to remove any of the disadvantages of the scheme, and so to improve its working and insure its more general acceptance. As the majority of the Council seem to be in favour of dividing the Resolution into parts, and discussing it paragraph by paragraph, I will follow the suggestion. I, therefore, now propose the adoption of the first paragraph:—

1. Canada shall be liable for the Debts and Liabilities of British Columbia at the time of Union.

These debts and liabilities, I would explain, include all the actual debts of the Colony now matured and due, as well as the liabilities for debts to mature at a future day. I will quote from the Returns sent down this day by the Governor, which give the full details of these liabilities, showing that our funded debt, on the 10th of March instant, consisted of the British Columbia and Vancouver Island Loans secured by Act, amounting in all to \$1,194,000, against which \$346,820 has been paid and invested as a Sinking Fund in reduction of Loans, leaving a balance of \$817,180 still to be invested, and a floating debt of all kinds of \$319,009, including over \$40,000 Savings Bank deposits. This floating debt it is in contemplation to consolidate by a Statutory Loan, at a lower rate of interest, and to procure the money from Canada, which, as Hon. Members are aware, is now rich, or elsewhere. For this purpose the Governor proposes to submit an Ordinance for the approval of this House, conferring the necessary powers. Owing to the mode in which the Sinking Fund is invested, there is reason to believe that it will be paid off at least a year before the time stated. Regarded as a whole, our public debt is by no means extravagant, as compared with that of other countries; but in our isolated position as a



young self-dependent Colony it is felt as a very heavy burden; of this burden, Confederation will relieve us; a benefit so apparent needs not a single word. Hon. Members are aware that this debt is a heavy tax upon the country, and prevents the undertaking of public works. The assumption of this debt by Canada, on fair terms, will not only relieve us of this burden, but will save us a large balance of cash, which will be available for public works to open up the country. I will now proceed to the next item.

Hon. Chief Commissioner of Lands and Works (MR. TRUTCH)—I would suggest that each clause should be discussed and passed separately.

Hon. Member for Victoria District (MR. DECOSMOS)—No, no. Let us hear the Attorney General on the whole Resolution.

Hon. Member for Yale (MR. BARNARD)—We shall not carry the matter so well in our minds if we take the whole together.

Hon. Chief Commissioner—I think that the clauses are so distinct that it will be better to take them separately.

Hon. Member for Victoria District—I would suggest, as one who has scarcely had an opportunity to read these Resolutions, I would rather hear the Government on the whole scheme.

Hon. Chairman—I think it better to put it to the House, whether these clauses should be discussed one by one.

On the question being put, it was carried in the affirmative.

Hon. Member for Victoria City (DR. HELMCKEN)—I presume Clause 1. will be agreed to.

Chairman—Has any Hon. Member anything to say upon this clause?

Hon. Member for Victoria District—What is the meaning of liabilities in Clause 1., is it intended to mean financial liabilities?

Hon. Attorney General—Financial liabilities.

Hon. Chief Commissioner—There may be liabilities which are not debts; there may be some liabilities which will become debts, liabilities which are not matured.

Hon. Member for Victoria District—Unmatured contracts, is that the meaning?

Hon. Attorney General—Yes.

Hon. Member for Victoria City—I move that the word "public" be inserted before "debts."

Hon. Member for Victoria District—That would imply private debts.

Hon. Member for New Westminster—I don't think so. Mr. Chairman, there can be no misunderstanding, it would make the clause no plainer.

Hon. Attorney General—It is as well that I should add that these terms come down complete in themselves; as far as the Government is concerned they are incapable of amendment, but the greatest attention will be paid to suggestions. I think it better to state this, to avoid misapprehension.

Clause 1. was passed as read.

Hon. Member for Victoria District—I suggest that Clauses 2 and 3 be taken together.

Clauses 2 and 3 were then read by the Chairman:—

2. The population of British Columbia shall for the purpose of financial arrangements be estimated at 120,000. British Columbia not having incurred debts equal to those of other Provinces now constituting the Dominion, shall be entitled to receive, by half-yearly payments in advance from the General Government, Interest at the rate of 5 per centum per annum on the difference between the actual amount of its Indebtedness at the date of Union and the proportion of the Public Debt of Canada for 120,000 of the population of Canada at the time of Union.

3. The following sums shall be annually paid by Canada to British Columbia, for the support of the Local Government and Legislature, to wit:—

An Annual Grant of \$35,000, and a further sum equal to 80 cents a head per annum of the population; both payable half-yearly in advance, the population of British Columbia being estimated as aforesaid at 120,000. Such grant, equal to 80 cents a head, to be augmented in proportion to the increase of population, when such may be shewn, until the population amounts to 400,000, at which rate such grant shall thereafter remain.

The HON. ATTORNEY GENERAL, in moving the adoption of these clauses said:—I would observe that this estimated population of 120,000 is nominal, and has been arrived at by comparison of the revenue and population, because in the absence of actual census, and to facilitate financial arrangements, it has been deemed best to calculate according to the revenue producing powers of British Columbia compared with Canada. Thus we have it officially from Canada, that her Customs and Excise produced \$2.75 per head of her population; at the same rate, \$2.75 per head, our Customs represent the same present revenue as a population of 120,000 Canadians produce. This estimate of 120,000, therefore, though nominal, is really just and fair, hence 120,000 population has been adopted as the basis of our financial calculations. The \$35,000 in Paragraph 3, allowance for the general support of the Government, is an arbitrary sum adopted by Canada in negotiating with Newfoundland and New Brunswick. The allowance of five per cent. interest on the difference between our public debt and that of Canada, is arrived at in this way: we have it officially from Canada that her debt on February 9th, say 1st March if you like, amounted to \$22 per head of her population. This would entitle us with 120,000 people, to come in

with a much larger debt than our own, which at the time of Union would be, say, \$1,000,000. The interest at five per cent. on these amounts would give us the annual allowance of \$82,000 named in the papers before the House. The 80 cents a head on our population of 120,000, is the usual allowance prescribed by the Organic Act of Confederation.

HON. CHIEF COMMISSIONER—Mr. Chairman, I think that on these two clauses depends the whole stability of our scheme; and as I believe them to be of very vital importance ["Hear, hear," from Mr. DeCosmos] I trust I shall be excused if I offer a few remarks upon them, although it is possible I may travel over the same ground as the Hon. Attorney General has taken up in introducing these clauses. I say, Sir, that 120,000 may appear extravagant at first sight. The basis of the population of 1861 is taken as the basis on which other schemes rest; but that would not do for this Colony. It would not give us an equal advantage with other Provinces. It has, therefore, been found necessary to take some other basis. And here, Sir, I desire to say that I am permitted to inform this House that the Executive are very much indebted to the Hon. Member for Victoria City, who is also a member of the Executive Council (Dr. Helmcken), for his able assistance and suggestions in preparing this scheme. I trust that this Council will find that the Hon. Member has been most practical and ardent in his endeavours to obtain good terms, if he has not been an enthusiastic advocate of Confederation. With regard to the reasons for adopting the number of 120,000 as the basis of population, we ask something for undeveloped resources. The expenses of living in this Colony are much higher than on the Atlantic Coast; there is more per head paid for taxes here than in any other part of the Dominion; one dollar here is in reality worth no more, that is to say it goes no further, than one shilling in the Eastern Provinces; and one man here pays as much to the Revenue as four on the other side. The basis is in fact the basis of Customs paid by each individual in this Colony compared with the Customs Revenue paid per individual in Canada. Taking the estimate of the present year, the Canadian Customs and Excise yield \$2.75 per head, on the present population; and our Customs being \$330,000 is equal to \$2.75 per head on a population of 120,000, upon comparison with Canada. Practically and equitably, I believe this to be a fair basis. It may be open to some logical objection, but I believe it is equitable. The estate which we propose to hand over yields at that rate, as we now farm it. We turn it over into the hands of those who are to manage it. It is not for us to consider how. If they reduce the Customs, it is nothing to us; we must have a basis as favourable as this. ["Perhaps more so,"—Hon. Mr. Helmcken.] Perhaps more so, as the Hon. Member says. The debt of Canada amounts to \$22 per head on the population, and this on a popu-

lation of 120,000 gives a debt of \$2,640,000. We may claim to have our debt taken over on the same basis as other Colonies, as before Union can be consummated, we may expect our debt to be reduced to \$1,000,000, leaving a balance of \$1,640,000, on which we will have a right to claim interest at 5 per cent., that is to say: \$82,000, as stated in the printed particulars now before the Committee. The subsidy of \$35,000, is equal to that given to Newfoundland. Referring again to the printed figures, you will find that the amount of Revenue retained by British Columbia is \$151,050. Add this to the subsidies, including the Interest on the difference of the debt, amounting to \$213,000, and we have a total Revenue of \$364,050. As we shall be relieved of all expenses but \$212,009.75, we shall have a clear balance of \$152,040.25 to be spent in local works.

This constitutes the Financial Scheme, and although it is open to argument, it is about what we are entitled to receive, and what we must receive to place us in a fair position under Union.

HON. MR. DECOSMOS, after asking the Hon. Mr. Helmcken if he wished to speak before him, and receiving a negative reply, rose and said:—Mr. Chairman, in rising to speak to the Resolutions respecting the proposed subsidies to be granted by Canada, I may possibly be wasting my breath, and the time of this House; but although that may be the case, my duty to my constituents and the country demands that I should do so. With respect to Confederation, I have ever looked at it from one point: it must have a money value. ["Hear, hear," from Dr. Helmcken.] A great deal has been said about the form of government—about Responsible Government—but I say this: that every Government, whether responsible or irresponsible must have money. It is impossible for the most perfect political system to move without it. Ways and Means must be provided. Now, I have always said, and I still maintain, in view of Confederation, that the amount that ought to be placed at the disposal of our Local Government when we enter Union, ought to be an annual surplus of \$200,000, or nearly so, after having provided for the annual current expenditure of our Local Government: that is, for all the offices and services that must be kept up at the expense of the Colony, in order to keep it moving as a Province of the Dominion. We know by reference to the Estimates what they are; but in addition, there must be a certain sum provided for keeping in repair public works, such as the main-trunk road from Yale to Cariboo, and our public buildings. After these expenses have been defrayed, I should expect a surplus to the credit of the Local Government of about \$200,000.

HON. MR. TRUTCH—As against \$152,000 in the estimate accompanying the Resolutions?



Hon. MR. DECOSMOS—Yes: some surplus of that kind would be about the proper amount, if we expect the Colony to be any better off after Union than before, and if we expect our Local Government to do anything towards developing the resources of the country. Now, Sir, how shall we get that surplus? By the proposition before us, for which the Hon. Member for Victoria City (Dr. Helmcken) gets the credit as the originator? No, Sir. But I will not anticipate the answer to these questions. Let us first examine the Government financial scheme, of which the Hon. Member for Victoria is the financier. The first proposition made by the Government is that we shall assume for financial purposes that our population is 120,000. Now, Sir, I am one of that number who do not believe in assumptions in matters of finance,—one of those who deem it to be dangerous to found financial measures on fiction instead of fact; for in no department of Government ought there to be maintained a stricter regard for truth and fact than in the department of finance. The financier who resorts to fiction, no matter how well-intentioned, nor how patriotic, may justly be doubted. It may be as the Hon. Chief Commissioner has said: that the assumption of a population of 120,000 may be illogical and untrue, yet the result may be equitable. But, Sir, I do not think that we ought to assume, neither do I see the necessity for assuming, that we have a population of 120,000 instead of 40,000, as I believe it to be, as it is recognized to be, and as it is in fact. The magnitude of the subject, the historical aspect of the terms, the dignity of the contracting parties, the nobleness of the work of nation-making, our own self-respect, ought to lift us above the atmosphere of assumption and fiction, ought to guide us by an accurate and genuine political standard, and ought to inspire us with such pure and lofty political sentiments as would stamp the financial terms with the indelible marks of truth, fact, and statesmanship, and for ever shut out the possibility of posterity associating our public men with mere parish politicians, instead of ranking them with enlightened and able statesmen. At the utmost, our population does not exceed 40,000, including men, women, and children,—Whites, Chinese, and Indians,—10,000 civilized and 30,000 semi-civilized. It would be a mistake to estimate an Indian to be equal to a white man as a consumer; but when we consider that in our white population the males are largely in excess of the females, and that in this country they are very large consumers, it would not be incorrect to conclude that there is no unfairness in making our whole population—Whites and Indians—as equal to 40,000 consumers in the Dominion. Starting, therefore, with a population of 40,000, we base our calculations on facts, and not on fiction, as in the governmental assumption of a population of 120,000. I will now, Mr. Chairman, proceed to deal with the financial proposition of the Hon. gentleman for Vic-

toria City—which is the Government scheme—by which he proposed to get \$152,000 surplus revenue for the Colony after the Union. The proposed sources of revenue to produce this surplus, are four in number, viz: 1. an annual subsidy of 80 cents per head of our population, which is assumed to be 120,000, and on that basis of population would yield \$96,000; 2. a fixed subsidy of \$35,000 per annum; 3. interest at the rate of 5 per cent per annum on the difference between the actual amount of the debt of the Colony at the date of Union, and the proportion of the public debt of Canada for 120,000 of the population of Canada at the time of Union, which is estimated at \$82,000 per annum; and, 4. the balance of our present revenue (not including the Customs, Excise, Postage, &c., that go to the Dominion) estimated at \$151,050 per annum. Now, Sir, I have already shown that our maximum population does not exceed 40,000. If we estimate the population of the Dominion on our admission in 1871, at 4,300,000, and the public debt at \$86,000,000, the rate per head would be \$20. Now, \$20 per head for our 40,000 people would entitle us to a public debt of \$800,000; and as our public debt, after deducting Sinking Fund, would be in 1871, about \$1,050,000, the Colony would enter the Dominion with a debt of about \$250,000. So no revenue can be acquired from the third source of revenue on the basis of 40,000 population. Again, if the proposed terms allowed us to enter with the same debt per head, as old Canada entered the Dominion, that is \$25 per head, our population of 40,000 would only entitle us to a debt of \$1,000,000, leaving us still in debt \$50,000 on our admission. No revenue still. Let us now take a passing glance at the Newfoundland terms of Union. The debt per head allowed to New Brunswick on her admission was, we are told, accepted on behalf of Newfoundland, by those who negotiated the terms, and that was \$27.77 per head. Now 40,000 people at \$27.77 per head, would entitle the Colony, on admission in 1871, to a public debt of \$1,110,800, instead of \$1,048,644, our public debt then leaving a difference of \$62,156, on which, on the basis of the third source of revenue, we would be entitled to draw interest at 5 per cent. That difference, \$62,156 at 5 per cent, would yield only \$3,107, a sum very far below \$82,000 per annum, the estimate in the terms proposed. So it is neither on the Newfoundland basis, nor on a basis of fact, that the Hon. Member for Victoria City had framed the Government scheme of Union. I will now come, Sir, to the real point at issue. I will try with all fairness to discover whether there is or is not any ground on which to base the assumption of a population of 120,000. We have been told by the Hon. the Chief Commissioner of Lands and Works and by the Hon. and learned Attorney General that the financial calculations are based on the proportion between the receipts of Customs and Excise in this Colony, and the receipts from

Customs and Excise in the Dominion of Canada. Now, Sir, from statistics in my possession, I find that the Customs of Canada yield \$8,640,000. That amount, with a population of 4,300,000 would be equal to \$2 per head per annum. Let us now see what the Customs yields per head in British Columbia. In 1869, the Customs were \$342,126. The difference between the average per-centage of Customs duty imposed in British Columbia and in Canada is 7 per cent. less under the Canadian than under our tariff. Now, as we imported in 1869 \$1,775,000, 7 per cent. on that amount would be equal to \$124,250. If we deduct \$124,250 from \$342,126, our Customs receipts in 1869, we shall have \$217,876, the total revenue Canada would have received from British Columbia in case we had been in the Dominion. If we divide this \$217,876 by our population, 40,000, we shall have 5 and nine-tenths per head; in round numbers 5½. We can now easily discern the reason why the basis of population has been fixed at 120,000 for financial purposes in the Government scheme of union. It is apparent that the Government estimate of population has been founded on the conclusion that in British Columbia the Customs would be about \$6 per head, and in Canada \$2 per head, or three times higher here than there, and therefore our population of 40,000 ought for financial purposes to be 120,000, or three times greater than it really is. If there were not reasons for the opinion that under Confederation the Customs and Excise of the Dominion as applied to this Colony would not perceptibly exceed the rate per head in the Dominion East, I would cheerfully assent, for financial purposes, to the assumption of 120,000 as our basis of population. I cannot, however, conscientiously do so, for with the extension of the Dominion to the Pacific, I hold, will come the equalization of political rights, and the equalization of taxation. The equalization of political rights will be established with the extension of the Dominion; but equalization of taxation, though it may not come in the first year after union, yet it is bound to come within two or three years after union shall have been proclaimed. In proof of this assertion, I could direct the attention of the Council to what I deem facts. 1. That as soon as union shall have been proclaimed, Canadian manufacturers will enter our ports duty free, and that the reduction of Customs receipts from this source will, on the basis of our imports for 1869, be \$58,400 per annum; 2. The reduction of Customs receipts after union, for Canadian produce entered duty free, and by the increase of agricultural produce in the Colony, will be, on the imports of 1869, \$66,100. Now these two reductions are equal to \$124,500, and if we deduct \$124,500 from \$217,876, the amount that has been assumed by Government that Canada would draw from this Colony in Customs receipts, we shall have only \$93,376; and thus \$93,376 will be only a fraction more

than \$2 per head for our 40,000 population, very nearly the same rate per head of Customs taxation on the Pacific as on the Atlantic. I might enter into explanations at greater length to show the correctness of this conclusion, but I deem it undesirable. The certainty of the equalization of taxation all over the Dominion renders the assumption of a population of 120,000 for financial purposes a pure fallacy, and nothing more nor nothing less. It is simply taking a temporary, a transitory state of things; a state of things that will pass away in a year or two, as the basis for permanent conditions. Besides there is a serious disadvantage in assuming that we will pay \$6 per head per annum in Customs duty to the Dominion after union; and it is this:—Nearly every one would like to see all kinds of foreign merchandise, except such as would enter into competition with home-grown produce and home-made manufactures, entered duty free in Victoria, in order to foster and extend commerce. Now, if the Dominion Government made such an exemption from Customs for our benefit, it is but natural that we should make good to Canada in some other way what her revenue would lose by such an exemption. If Vancouver Island were exempted from Customs, and its population were taken to be 20,000, the Local Government would be expected to pay to the Dominion, \$6 per head, or \$120,000 per annum for the exemption. But if instead of the temporary rate of \$6 per head, the permanent rate of \$2 per head were taken, the 20,000 people of Vancouver Island would only have to provide \$40,000 per annum in lieu of \$120,000, a saving of \$80,000. The advantage of adhering strictly to facts instead of fallacious assumptions, are consequently perceptible to every one. By following facts we can have a scheme of union with a true corollation of parts, a thing impossible if we follow the proposed assumptions. I have stated that \$93,376 is all the Revenue that Canada is likely to receive in Customs from British Columbia on the basis of Population and Imports of 1869. Now if a wide margin be allowed, and these figures be raised to \$120,000 per annum, it would only, at \$2 per head, entitle us to a population of 60,000. That population would entitle the Colony to a debt of \$1,200,000, or only \$150,000 in 1871 over our present debt, and on which the interest would be but \$7,500 per annum. It is useless for me to follow the matter further to show that the financial terms are not based on correct premises. But before I conclude this section of the subject, I would remark that I have not taken into account the amount of Internal Revenue, such as Excise, Postage, Stamps, Malt Tax &c, that the Colony is likely to contribute to the Dominion Treasury; for so far as I can estimate the rate it will not exceed \$1, or \$1.25 per head, and offers little or no grounds on which to base financial terms. The only difference, it appears to me, between the Customs and Internal Revenue Laws of Canada, as applied



for Revenue purposes to this Colony is, that the Internal Revenue Taxes are likely to be from the date of our admission, at the same rate per head here as in other parts of the Dominion; whereas the Customs will be higher here per head for a few years than there. Turning now, Sir, to that portion of the financial terms that proposes to get \$151,050 from sources of revenue to be reserved after union to the Colony, I cannot help thinking that there has been a mistake all through the governmental scheme, and that the amount of revenue proposed to be obtained from those sources is another instance of governmental blundering. As I sum up these sources of revenue from the Estimates of 1870, they are as follows:—Road Tolls \$50,000, Land Sales \$6,000, Land Revenue \$4,000, Rents \$1,500, Miners' Certificates \$11,000, Mining Receipts \$12,000, Spirit Licences \$25,000, Trading Licenses \$15,000, Fees of Court \$4,200, Fees of Office \$6,050, and Vancouver Island Road Tax \$6,000, making a total of \$141,250, instead of \$151,050, as in the governmental estimate submitted with the proposed terms of union. The way in which I make the difference, is by not taking into account as permanent sources of revenue, such items as arrears of Vancouver Island Real Estate Tax \$8,000, Over-payments recoverable \$500, Sale of unserviceable Stores \$1,500. There can be no grounds for including such accidental sources of revenue under the head of permanent sources of revenue. Hence we must reduce the \$151,000 of local revenue to \$141,000. But the latter amount must also be reduced by deducting the Vancouver Island Road Tax \$6,000 therefrom, thus leaving only \$135,000 as permanent sources of revenue; for if the Vancouver Island Road Tax be included in our estimate of permanent revenue, we ought also to include the annual revenue of the cities of Victoria and New Westminster, which is simply absurd. The Vancouver Island Road Tax is a purely municipal matter, and so the Government has blundered in mixing up municipal with provincial revenue. The Yale-Cariboo Road Tolls are estimated as a permanent source of revenue at 50,000 dollars. This is another mistake, for the Road Tolls are falling off every year. In 1868, they were 67,825 dollars; in 1869, 46,500 dollars; and in all probability will be much less in 1870; and as mining diminishes in the upper country, year by year, so will the Tolls. If ever the proposed Railway be built, away go the Tolls altogether. Besides that, the present Road Tolls are oppressively high. On the receipts of last year, they are equal to 150 dollars per waggon load of 6,000 lbs., or 2½ cents per lb.—an enormous tax, that no one in his senses would ever think of regarding as permanent. If any toll at all were levied permanently, it could not be fixed at a higher rate than one-sixth of a cent per pound, or 10 dollars per load of 6,000 lbs., from Yale to Cariboo. At that rate the Road Tolls instead of yielding 50,000 dollars per year, would only produce 3,333

dollars, which for all practical purposes might as well be abolished, for the cost of collection would exceed the receipts. For another and all important reason, I think a great mistake has been made in entering the Road Tolls as permanent revenue after union. It is this: the entire people of the upper country have determined to abolish the Road Tolls as soon as possible. No compromise will be accepted. So under this head our future revenue cannot be estimated higher than 3,333 dollars, or nothing. The revenue from Land Sales is also put higher than we are justified in fixing it. In 1868, the receipts under the head of Land Sales were only 1,200 dollars; in 1869, 5,564 dollars; and as permanent revenue, for all time to come, under union, at 6,000 dollars. Now, as it is alike our policy and our interest not to make Land Sales a source of revenue, I do not think that we would act judiciously in considering the terms of union if we estimate a higher amount of permanent revenue from this source than the receipts of 1869, 1,200 dollars. Neither Land Revenue nor Rents appear to be as uncertain in their returns as Land Sales, so I will pass on to the items of Miners' Certificates, 11,000 dollars, and Mining Receipts, 12,500 dollars. Here again it appears to me another mistake has been made. Such gold mines as are worked in British Columbia will be worked out. Such diggings are sure to be deserted in a very few years. The white miners will retire, and the Chinese will take their place. When the Chinaman leaves, the mines are worked out. I can, therefore, see but little hope of permanent revenue from the gold mines. Already the mining revenue has begun to fall off. In 1867, Miners' Certificates yielded 13,645 dollars; in 1868, 11,535 dollars; in 1869, 10,500 dollars, and is likely to be less in 1870, although the estimate is 11,000 dollars. In 1867, Mining Receipts were 22,208 dollars; in 1868, 15,756 dollars; in 1869, 11,500 dollars, and yet for 1870 the estimate is 12,500 dollars. At the utmost, from all departments of mining, we cannot, in my opinion, estimate higher than 10,000 dollars as permanent revenue, and but little of that amount will ultimately be drawn from gold-mining. Now, Sir, with respect to Spirit Licenses, which have been estimated by the Government at 25,000 dollars as permanent revenue; there could be no greater blunder made. The Hon. gentleman who framed these terms seems to have had no notion whatever of the systems of taxation that obtain in the Dominion, and has consequently repeated his mistake of mixing Municipal Taxation with Provincial. In the Dominion there are three forms of Government viz: Municipal, Provincial, and Dominional, and each has its own system of taxation. Here we have but Provincial and Municipal Governments, with their respective systems of taxation. Now it appears that consideration has only been given, in framing these terms, to taxation under the Customs and Internal Revenue Laws of the Dominion. But Provincial Taxation ought

also to have been considered, and the starting point should have been the equalization of our Provincial Taxes, with the Provincial Taxes of the Eastern Provinces. This is made very apparent with respect to Spirit Licenses. Here the Provincial Government levies 200 dollars per annum on retailers in towns, and in the country 50 dollars per annum. In Ontario the retail spirit license is 20 dollars per annum in cities, 17 dollars in town, and 10 dollars in the country. In estimating our future Revenue from this source, we are not justified in placing it higher than the rate of Ontario, and that would reduce the receipts from Spirit Licenses from 25,000 dollars, to about 6,250 dollars per annum. The excess above the latter amount, if levied, ought to be levied for Municipal purposes. The Trade License here is also estimated too high. Now, after careful study of these sources of Provincial Revenue which it is proposed that the Colony, after Union, shall exclusively possess, I cannot make the permanent receipts higher than 50,000 dollars per annum. The difference therefore between my estimate of Provincial Taxation, and that of the framer of these terms, is 101,050 dollars, or as 151,050 dollars is to 50,000 dollars. If a larger amount than the latter be levied by our Provincial Government after admission, our taxes will be out of proportion to the taxes in the Eastern Provinces for Provincial purposes. Before propounding what I consider ought to be the financial terms of Union, I will conclude this part of the subject by stating that the terms submitted in the Resolutions, and illustrated by the printed Estimate, instead of giving the Colony a permanent total revenue of \$364,050 per annum, will only produce 248,567 dollars, unless higher provincial taxation be levied here than in other parts of the Dominion. The way in which I make up these results is as follows:—By the terms submitted by the Government, there is 1st. Fixed subsidy 35,000 dollars; 2nd. Interest on difference of Public Debt, 82,000 dollars; 3rd. 80 cts. per head on 120,000 population, 96,000 dollars; 4th. Reserved revenue, 151,050 dollars: Total 364,050 dollars. By my interpretation of the proposed terms, there is: 1. Fixed subsidy, 35,000 dollars; 2. 80 cts. per head on 120,000 people, 96,000 dollars; 3. Interest on difference of debt, taking 20 dollars per head as the debt of Canada 67,567 dollars; 4. Reserved Revenue, 50,000: Total 248,567 dollars. Now, if we deduct from the latter amount, the Government estimate of current expenditure, viz: \$211,009, there would only remain a surplus revenue of 36,558 dollars, instead of 151,050 dollars, as anticipated. I therefore sincerely think that the Government scheme is wrong, and ought to be revised. Mr. Chairman, I therefore propose to bring under the notice of the Council, what I consider ought to be the financial terms, taking for granted always, that Canada will become liable for our public debt at the time of admission. When the Provincial Delegates met in Quebec and London, to decide on the terms of

Confederation, they divided the Provinces into three groups, viz.; Upper Canada, Lower Canada, and the Maritime Provinces. Lower Canada was taken as the initial point. Now Sir, in deciding finally as to the terms, I consider that British Columbia ought to be treated as the fourth group, whilst the Northwest Territory may be regarded as the fifth. The first thing that strikes me, on looking at the Eastern Provinces, is their territory. Ontario has 121,260 square miles; Quebec has 210,000; and all the Maritime Provinces, 88,065. Territorially then, we are their equal, and greater than either of them. The natural capacity of our territory to support population, is as great as Lower Canada. We have a finer climate, and more varied natural resources. Quebec sustains a population of about 1,250,000, or more. Ontario has 2,000,000. It is true that they are two centuries ahead of us, and we are in our infancy, with a handful of people. But that is no reason why, in framing terms, that we should not look forward to the rapid development of the Colony, and to the possession of a large settled population. Considering our geographical position, our natural resources, our wide spread population, and our future, I think that we are entitled to as large a fixed subsidy as Ontario, that is \$80,000. The proposed terms, submitted by the Government, ask only \$35,000 per annum. Now, this is placing British Columbia, with its 220,000 square miles, its great natural resources, and the best climate in the world, on a par with Newfoundland, with its 40,000 square miles, its sterile soil and inhospitable climate,—a country that has never yet developed any capacity for anything but catching and selling codfish. Prince Edward's Island is also offered a fixed subsidy of \$35,000 per annum,—a little insular community with a territory of 2,100 square miles, a hundred times less in area than our own country, and with a climate far inferior to ours. It is simply absurd to propose such a thing as ranking this Colony in subsidies with either of the Provinces except Ontario. I want neither more nor less than what the latter Province gets as a fixed annual subsidy. Every Hon. gentleman present who gives the matter a moment's consideration must agree with me that \$35,000 is entirely out of the question, and that the least we can accept is a fixed subsidy of \$80,000 per annum. [Hear, hear.] In the next place, I propose that our population be taken at 40,000, and at no time shall it be considered less; and that we shall be entitled to receive 80 cents per head annually until our population shall have reached 1,000,000. By this proportion we have truth and fact on our side. Our population will be subsidized at its actual number and not increased by a fiction—an unnecessary assumption—as in the terms proposed. Under this head we would get on entering the Dominion \$32,000 per year. Besides that, as our population increases, this *per capita* subsidy would increase annually in amount, till it reached



the maximum number of inhabitants of 1,000,000, and then it would stop. Now, the terms sent down to us by the Government assume, as I have shown before, the existence of a population of 120,000, and propose that we shall receive 80 cents on that number at once and that we shall receive no increase till our population shall have actually reached and passed that number; so it may be twenty years or longer before our actual population shall be equal to the assumed population, 120,000; and in the interim the *per capita* subsidy will remain unchanged. But this is not all. The Government scheme proposes to limit our maximum population to 400,000, the same as in Nova Scotia, New Brunswick, and as proposed in the terms to Newfoundland and Prince Edward's Island. This is part of the same error made in copying the fixed subsidy. If we sum up the maximum of population entitled to a *per capita* subsidy in the four Maritime Provinces it will amount to 1,600,000. Now, if we rank our population under our extent of territory, we who possess three times as much territory as the Maritime Provinces, and equal capacity to support population, ought, at least, to be entitled to fix our maximum number of inhabitants entitled to the *per capita* subsidy at one million. [Hear, hear.] Now, Sir, neither of these two subsidies, nor both, would meet the current expenditure of the Government,—keep the necessary offices and services of the Colony moving. Both, only amount to \$112,000 per annum, and we require at least \$162,000 to meet current expenditure on the basis of the Estimates of 1870. But, as it accidentally happens, if we add the proposed fixed subsidy, \$80,000, and the *per capita* subsidy, \$32,000, to the reserved revenue, which I have previously shown ought not to be estimated higher than \$50,000, we shall have \$162,000 and nothing over,—no surplus to enable the Local Government to do anything to develop or settle up the country. If we were to receive nothing more than these two subsidies and reserved revenue, we would gain nothing by joining the Dominion. It would be simply jumping out of the frying-pan into the fire,—a change without financial improvement. Under such circumstances, I would oppose Confederation. Now, Sir, in addition to the fixed and *per capita* subsidies, I ask for a temporary subsidy of \$150,000. [Hear, hear.]

Hon. DR. HELMCKEN—For how long?

Hon. MR. DECOSMOS—I ask for a temporary subsidy of \$150,000 per annum, to be diminished annually in amount, in proportion as our population shall exceed 40,000. New Brunswick has a temporary subsidy of \$63,000 for ten years. Nova Scotia a temporary subsidy of \$82,000 for ten years. The grounds on which I ask a temporary subsidy for British Columbia are: firstly, that the cost of living here is greater than in the Eastern Provinces, and, consequently, public officers must be paid higher salaries, and necessary services cost more in this country

than there; secondly, our country is very large, and our population is small and widely scattered, and, consequently, requiring a larger staff of officials than a more compact and more populous community might require elsewhere; lastly, we require the additional temporary subsidy on the highest of all grounds,—expediency, that has governed politics in all times and countries. Without a surplus of at least \$150,000 per annum, the Local Government will be able to do nothing to advance the interests and settlement of the country. Confederation would soon prove itself a source of disappointment, if there were no money spent annually for public works, immigration, education, &c. A change, without financial improvement, would destroy all hope of any such thing as the loyal and cordial co-operation of our people with the Government of the Dominion. Expediency, therefore, demands the subsidy, and expediency justifies the demand. In concluding my remarks, Sir, on this subject, I will briefly contrast the terms proposed by the Government and the terms suggested by myself. The Government scheme, as I have shown, calls for only \$248,567, instead of \$364,050 as alleged. Of the former sum it can draw in subsidies \$198,567, in lieu of \$213,000 as intimated. Now, by the terms which I have proposed the three subsidies, viz: fixed subsidy, \$80,000 per annum, *per capita* subsidy, \$32,000, temporary subsidy, \$150,000, would yield \$262,000 per annum, and adding thereto the reserved revenue (the details of which have been explained) \$50,000, the Colony on and after Union would have a Revenue amounting to \$312,000 per annum. If we deduct \$162,000, the sum required by the Estimates of 1870, to keep up and pay for our Provincial offices and services, and make the necessary repairs to certain roads and buildings, we will have a clear surplus of \$150,000 per annum to be devoted to Education, Charity, Public Works, and Immigration. Besides which the equalization of taxation for Provincial purposes would reduce taxation at least \$100,000 more. If we deduct the current expenditure of the Government, viz: \$162,000 from \$248,567, the actual total amount of Revenue to be received under the terms submitted by Government to the Council, the surplus Revenue will be \$86,567, as against \$150,000 in that which I have proposed, making a difference between them, of \$63,433. ["Hear, hear."] I shall hereafter move a Resolution suggesting the adoption of the terms that I have explained, and as an amendment to the Resolutions now under discussion. ["Hear, hear."]

The Hon. MR. HELMCKEN, Member for Victoria City, said:—The Honourable gentleman says in fact, we should go to Canada and say we want \$250,000. I say we don't want to be Confederated. Canada wants Confederation. We don't ask Canada, Canada asks us to be Confederated. I agree that we ought to have \$250,000 from Canada at least. The Hon. Member who has just spoken, attempts to show that Canadian

manufacturers will come in free. Twenty years hence Canadian manufacturers may come in, but I will not go into that question; why should Canada complain of her goods coming in, what she gains will be more than she loses. She desires a larger market for her manufacturers, and she must pay us for that; she cannot complain that she is losing by supplying us with her manufactured goods. The Hon. Member for Victoria District (Mr. DeCosmos) says that equalization of labor, and of value of property and productions, will come about. I admit that it may be so, but in my opinion it will not be for some years to come; if there is equalization of labor, there will also be equalization of taxation and offices. The Local Government can look after this when it happens. I do not suppose that Canada will be disposed to look at our terms critically; they are getting this Colony far too cheap, I think \$250,000 is too cheap. The Hon. gentleman (Mr. DeCosmos) says that we should go to Canada and ask \$80,000 per annum, because another Province has the same, and that this Colony, which is larger in extent of territory than the largest of the Provinces should have \$80,000. But the Hon. gentleman must recollect that we do not produce revenue equal to what the other Provinces produce. With regard to the limit of population for the purposes of representation, I think 400,000 is too small, it ought to have been 1,000,000, not indefinite. 120,000 gives us the right to have eight members to represent us; this is a matter of expediency. There is a fault in the Resolution to which I will draw attention, it is this, that we do not get any increase in Revenue to the Colony until we get a population of over 120,000 persons. We have to calculate what our Revenue will be now under Confederation, and we cannot look for any increase for years to come. Which ever way we look at it, the figures come back to the same thing, we want \$250,000, and there are several ways in which we can get it; in point of fact we ask Canada to lend us that sum of money.

Hon. MR. DECOSMOS—My proposition would give \$650,000 more than the Government scheme and set free Internal Revenue for local or Municipal purposes.

Hon. MR. HELMCKEN—The Hon. Member wants \$150,000 now, and as the population increases the sum is to decrease.

Hon. MR. DECOSMOS—We should always have \$150,000, with our present or a greater population.

Hon. MR. HELMCKEN—The long and the short of the story is, that the two propositions amount to much the same thing. We go to Canada and say we want \$250,000. According to this scheme, Canada will only be out of pocket \$128,000. I say that Canada's expenses will diminish in two years from this time by \$60,000, so that Canada will only be paying \$68,000 a year. This is a very low rate of payment, far too low

in my opinion. I say, Sir, that if one thousand miners go to Peace River this year, our revenue will be increased by \$100,000, and if Peace River succeeds, "pans out well" as the saying is, I am quite certain that \$250,000 a year will not purchase this Colony. If Peace River is a failure, Canada may get it.

The Hon. MR. HOLBROOK said—Sir, I rise to support the motion of the Hon. Attorney General for the adoption of these clauses. I prefer the scheme put forward by the Government to that suggested by the Hon. Member for Victoria District; it is more statesmanlike, and deals with the subject in a larger manner. I agree with the Hon. Member who has just sat down (Mr. Helmcken) that there is a great probability of our having a large increase of revenue from the Peace River mines. It is impossible at present to form any opinion, beyond mere conjecture, on this head; but still I think we ought to be prepared for the contingency. I believe, Sir, that in a short time, the Dominion Government will be drawing a large amount of revenue from this Colony, probably a million, or a million and a half of dollars, and I am of opinion that provision ought to be made, by which the Province will derive some material advantage from that large increase. The United States Overland Railroad is producing such an effect as to turn California's attention to the Pacific Coast. I should be glad to see a scheme proposed, by which we should get back a part of any such increase of revenue, and if any Hon. Member will bring in an amendment, to secure us some local advantage out of any such prospective increase of revenue, I will support it: failing such amendment, I am prepared to support the clause as it stands.

The Hon. MR. HUMPHREYS, Member for Lillooet, said, Sir, I rise to support the amendment of my Hon. colleague (Mr. DeCosmos). In my opinion, Sir, the magnificent, bold, and statesmanlike scheme propounded by the Hon. Member for Victoria District (Mr. DeCosmos) has entirely demolished that of the Government. Hon. gentlemen have said much about Peace River mines, so much, that they would almost lead us to suppose that if Peace River was to fail in fulfilling the expectations that seem to have been formed respecting it, the Government measure will also be a failure. I say, Sir, that nothing is known about Peace River, which will justify any such expectations. It is folly to talk about the revenue to be derived from the Peace River mines; the amount of prospecting in that district has been too trifling to afford any data upon which to base even an argument or suggestion, so far as the terms, financially speaking, are concerned. I think that the proposition laid down by the Hon. Member for Victoria District, (Mr. DeCosmos) is worthy of the serious attention and consideration of this House. I should like, Sir, to see a scheme carefully laid down, which



would involve no subsequent reflections and troubles, such as we have seen in Nova Scotia and New Brunswick; it is better to go through all the squabbling and discussion that we have to do in this House now, than leave it to involve us in serious trouble hereafter.

Hon. MR. BARNARD—The Hon. Member says that the scheme proposed by the Hon. Member for Victoria District has quite demolished that of the Government. I should be glad to hear the Hon. Member for Lillooet point out the distinguishing differences between the two schemes.

Hon. MR. HUMPHREYS—The difference is apparent. I think that I have said enough to show this Council the advantages of the scheme propounded by my Hon. friend; if Hon. Members cannot see differences which are so plain, it is not for me to supply them with brains.

The Hon. MR. WOOD said—Sir, I speak with considerable diffidence upon matters connected with finance. It is a subject which I have not made my particular study. The class of observations which I shall feel it my duty to make upon these clauses, will be more for the purpose of enquiring whether this Council has taken properly into consideration, the possibility of the population of this Colony increasing within ten or fifteen years to 100,000, or about that number, if such an increase should take place, with the debt of British Columbia paid off, as it will be by that time, Canada will gain enormously under these terms. Of the prospect of there being a large consumption of Canadian goods here, I can say nothing. I do not think it likely that the Railway will supersede sea carriage in bulky staples. There are great difficulties connected with the transport of any goods, and until the Railway is in operation, I apprehend that the bulk of our dry goods will come as heretofore, from England, whilst that class of unmanufactured articles, which we are now importing from America, will still be likely to come into the market cheaper than Canadian goods, even though they are subject to a tariff. It is the difficulty of transport, our isolation in fact, as the Hon. Attorney General has stated, and not the tariff which is the real and substantial impediment to trade. I cannot help thinking that it is the probable destiny of this Colony to be numbered by hundreds of thousands, rather than by millions. This is the ultimate part of the world. We are in this Colony further removed from the great centres of civilization than probably any other known portions of the globe; we may almost be called the last Country in the World; and it is probable that only exceptional articles of manufacture will come to us from Canada. The consumption of manufactured articles imported from England, which can produce every kind of manufactured article cheaper and better than Canada, is not likely to decrease. Canada

cannot compete with the facilities afforded by England and the United States in manufactures. With regard to the advantages to be derived by Canada from the terms, I take it that the present population of consumers in British Columbia is in reality about 25,000, instead of 40,000. As the population increases the Customs Revenue, which will always be the main source of income, will increase; the advantage, consequently, will be entirely on the side of the Dominion; their profits grow in proportion as our population increases, whilst their burdens are becoming less. Customs would increase and judicial fees would increase; in fact, with a population of 100,000, I think I am not far wrong in stating that Canada would take from \$800,000 to \$1,000,000 from this Colony in the shape of Revenue every year, and would leave British Columbia with an increased expenditure necessary for carrying on the local Government, without any corresponding increase of income. The clauses proposed show, in my humble opinion, a present temporary and uncertain advantage, against a certain and prolonged future loss.

Hon. MR. HELMCKEN—In Canadian calculations the Indians are reckoned as white men, therefore we have a population of more than has been stated, for the Indians alone exceed 40,000.

Hon. MR. ROBSON, Member for New Westminster, said:—Mr. Chairman, I have listened with interest to what has been said upon these clauses, and have endeavoured to follow the Hon. Member for Victoria District through his figures, and after hearing all, I am not prepared to think any the less of the Government scheme, for the remarks which have fallen from the Hon. Member, the scheme proposed by him as an amendment to the financial clauses of the Government indicate a vast amount of research, calculation, and thought. I congratulate the Hon. Member for Victoria District on the vast advance which he has made in the last two years. He then only asked for \$142,000, inclusive of subsidy and head money. I think, Sir, that the Government has hit upon the soundest, best, and most feasible scheme. I consider it a real stroke of statesmanship, and am glad to find that the Un-Official Members of the Executive Council have added so much to its value. With regard to the number at which it is proposed to estimate the population; it is all very well for Hon. Members to say that this is a fiction, but there is nothing dishonest in the assumption. If we were going to impose upon the Canadian Government it would be dishonest, but we cannot impose upon the Government at Ottawa any more than we can upon ourselves. There is a real honest intent. The explanation of the Chief Commissioner is fair and satisfactory upon this point. The policy of the scheme proposed by the Government is less intricate than that of the Hon. Member for Victoria District; it is more business like. It is important also as a basis of representation. If we adopt 40,000

as a basis of population, we shall only be entitled to a much smaller representation. By fixing the basis at 120,000 we give the Country a better status abroad, and with the Dominion Government, than it could have if the basis were fixed at 40,000. This is where the fiction comes in if at all. Besides, we are upon the brink of great changes, which will enormously increase our population. We have every reason to expect our population to be doubled in a very short time. The public works which would commence immediately after Confederation will increase it at once, and it is fair to put our population up to meet the increase. There is, in my opinion, a great deal of reason in the arguments of those who say that as the population of this Colony increases the policy of the Dominion will tend to free trade ["No, no," from Mr. DeCosmos], and the Canadian Government look forward to the time, and that very shortly, that Internal Revenue or Excise will exceed the External Revenue or Customs, and the Customs Revenue of this Colony will not increase much above its present standard from the reduction of duties and the importation of Canadian goods. Hon. Members may look surprised at this, but I will tell them that there are large Canadian Houses now in negotiation with merchants of this Colony respecting the transmission of goods to this Colony, and I believe that cargoes of Canadian goods will come in to this port immediately after Confederation. This will be a relief to us. The Revenue from our own Customs will in a few years come to a stand still, or rather, notwithstanding the increase of our population, the Revenue will decrease. Looking ahead, it is argued by some Hon. Members that these terms look good for the present time, but bad for the future. I believe, however, that the bargain about to be made is a good one. Let us, if we can, strengthen the hands of the Government in asking more, but let us do nothing to weaken them and compel them to take less. We want more money just now. My idea is that the expenses of Local Government are set down at a figure which is unnecessarily high. I think the expenses might be considerably reduced, and thereby a saving made to the Colony. The subsidy of \$35,000 is, I think, too small. I will, therefore, move to increase it to \$50,000, and to increase the limit of representation from 400,000 to 1,000,000. I make this proposition with the more confidence because I believe that the Dominion Government will think very little of \$15,000, but they might think a good deal of the \$45,000 which would be necessary to increase the subsidy to \$80,000. In regard to the mines of this Colony, I think they will be more lasting than some Hon. Members predict; and I also differ from those who think that our prosperity depends entirely upon our mines. I believe that there is a great future for the Colony. I believe that the mineral resources will last our time, and that of our children. I believe, also, that our agricultural resources may be developed so as to

give us one million of population within ten years, and that this Colony will become of immense importance when the Overland Railway, the true North-west Passage, is established. I conceive that it is not all an exaggeration to assume that this Colony will have a population of one million within our lives. With such a climate as we have, and with such natural advantages, this Colony has stood still at a marvellous rate.

The Hon. MR. CARRALL, Member for Cariboo, said:—Sir, Hon. Members have said, and I think with reason, that the policy of the Dominion tends towards Free Trade. Excise Duties are gradually taking the place of Customs, and I incline to the opinion that the importation of Canadian goods will reduce the revenue of this Colony considerably, but in any case, if a surplus should accrue to the Dominion Government, then a proportion of that surplus should revert to us, so that it might be applied for local purposes. If the inequalities foretold should arise, then with such representation as we shall have, we shall have the means of securing a due proportion of the surplus. If the Canadian Government do not give us a fair share, we will force it from them. We shall be strong enough even with the number of Representatives proposed by these Resolutions. If the population really increases, as it is said it will, we shall have a vast representation. As regards the Indian population, it is roughly estimated by the Vicar-General at 60,000.

The Hon. MR. DRAKE, Junior Member for Victoria City, said:—Sir, I do not think that the advantages to Canada have been fairly put; it has been said that the sum of \$35,000 is an arbitrary sum similar to the subsidy allowed to Newfoundland, from the expenses of carrying on the Government of this Colony in proportion of the expense of the Government of Newfoundland in comparison to the population. I say that the sum is out of proportion and too small for the requirements of this Colony. I would put it up to \$70,000. Canada will receive, after paying subsidies and expenses \$128,000, Canada will no doubt fund the debt at a smaller rate of interest.

Hon. CHIEF COMMISSIONER—Canada cannot fund it at less.

Hon. MR. DRAKE—It is a matter of assertion, but I am of opinion that she will, and with the payment of debts in five years, Canada will pay out about \$53,000 only a year, therefore I move a recommendation to the Governor that "\$70,000" be inserted in the conditions, instead of "\$35,000."

The Hon. CHIEF COMMISSIONER, said:—Mr. Chairman, I shall be glad, speaking for myself as an individual member of this House, to accept any reasonable suggestion, and shall not oppose the recommendation of the Hon. Member for New Westminster. With reference to the amount of our debt, the Government scheme gives the Colony the full benefit of the debts to come in. I say that the debt of British Columbia, after Confederation, cannot be funded, or the



greater part of it cannot, for this reason, the debt is payable in Debentures which fall due at certain dates. After Confederation the price of Debentures will go up, and Canada can get no further benefit by funding, except as regards the Floating Debt. With regard to the remark of the Hon. Mr. Wood, who says the Resolution is framed with reference to present gain and future loss, I say we may wait and the horse may starve while the grass is growing. When we enter Confederation; we must do so in the expectation that we shall participate in all the advantages of Confederation, any increase of revenue or population will bring its share to us; we must believe that Canada will deal fairly with us. Now, Sir, I followed the Hon. Member of Victoria District through his figures when he propounded his new scheme, and I must say that I am better pleased with the Government measure than I was before; ours comes out on a stronger basis than before, in contradistinction to his. By his scheme he proposes to ask a clear gift; we ask much the same amount, but show the grounds. The Hon. Member has based his arguments on assumption more than the Government have. It is wrong to look upon the estimate of population as a fiction, it is not so, it is based upon calculation. Call it an expediency if you will, but it is no fiction. He seems to treat British Columbia as if it were an estate to be parted with for a *quid pro quo*, which is not a fair way of treating the subject. If Canada send us goods she will derive greater advantages from doing so than we shall, but nevertheless we shall participate. When our population increases rates of taxation will be reduced; a lower tariff, cheaper manufactured goods, and lower rents, are amongst the advantages that I look for out of Confederation. With regard to the Road Tolls, I look upon it as essential that they should be kept up to meet the expense of maintaining the roads and keeping them in repair. It has been a question, and perhaps it is still open for debate, whether the care and maintenance of the Main-trunk Road should not be thrown upon the Dominion Government; if we regard the road as Military work necessary for the defence of the country, its maintenance may fairly be a charge upon the federal revenue. I think we shall be in a better position to uphold the terms after this discussion. I believe that our future will be speedily prosperous, and I am quite satisfied that the Dominion Government should share in our prosperity. It will not do for us to depreciate our own future prospects.

The Hon. MR. HELMCKEN—I have not much to say in favor of Canada, but this much I will say: if British Columbia prospers by reason of Canada's works and capital, surely Canada has a right to an ample share of the increased Customs Revenue which will be so produced.

Hon. MR. DECOSMOS—Mr. Chairman, the credit of the Government proposition now before us has been given to the Hon. Member for Victoria (Mr. Helmcken). Now,

Sir, I am perfectly content that he should enjoy the credit, and the whole credit. In speaking briefly he has quoted a word used by myself—"expediency." Now, I again say the whole thing is a matter of expediency. I have not heard anything, however, either from that Hon. gentleman or others who followed me, to disturb the solid foundation of my scheme, resting as it does on truth and fact, and a plain out-spoken statement of our monetary requirements. I have always said that this question of Confederation was one of a monetary character—that it had a money value, and I maintain, as I have always done, without shadow of turning, that we ought to have a surplus revenue of about \$200,000 on entering the Dominion. I have always said that we must have that surplus, or its equivalent, with Confederation, or else no Confederation. That is the point round which I have been revolving. I have made no stride in advance, none to the rear, the Hon. gentleman opposite to the contrary. I have ever kept before the public the same idea, that when the terms of union were negotiated, they must bring that sum in a surplus revenue into our Treasury. It was a simple point that every one could understand and not forget. It is the sum that I asked at first; it is the sum that I ask now; and it is the sum that I propose now in amendment to the Resolution of the Government. The real surplus in the Government scheme is so far below what it ought to be, that it will be repudiated as an absolute failure, if ever it comes before the people for ratification. They will reject it. It will create just as much dissatisfaction here as there was felt in Nova Scotia. I will now, Sir, as I promised, move the following as a recommendation to His Excellency, and in substitution of Resolutions 2 and 3:—

1. That the Council recommend to His Excellency the Governor, the following Resolutions for his consideration: 2. The population of British Columbia shall be estimated at 40,000. 3. The following sums shall be paid semi-annually by Canada to British Columbia for the support of the Local Government and Legislature, to wit:—An annual grant of \$80,000, and a further sum of 80 cents a head per annum of the population, both payable half-yearly in advance, the population of British Columbia being estimated as aforesaid. Such grant of 80 cents per head to be augmented till the population shall be shown to be One Million, at which number it shall thereafter remain. Canada shall also pay to British Columbia, in semi-annual advances, the sum of \$150,000 per annum, which shall from time to time be reduced in proportion as the population may exceed 40,000.

Hon. Member for New Westminster—I object to the basis of population being changed, otherwise I would support some part of the recommendation.

The Hon. MR. ALSTON (Registrar General) said:—This being a Government measure, I shall support the Resolutions, but I

shall at the same time be prepared to give my assent and support to any sensible recommendations that are proposed. It strikes me that the Resolution of the Hon. Member for Victoria District (Mr. DeCosmos) is based on proper grounds. It is a mistake to say that the allowance for representation is based on a fictitious estimate of population. The Executive Council must have estimated it on the area and extent of the Colony. I believe that our representation would accord with the recommendation of the Hon. Member for Victoria District. I do not think that Canada is advancing in the direction of free trade. Her advance is more likely, in my opinion, to be towards protection. I have no doubt that Confederation will open the door for Canadian goods to be brought in. I have no hesitation in voting for a larger subsidy, because I believe that, in a few years, from the increase in our revenue, Canada will have very little to pay, and in the Government Resolutions there is no suggestion for any refund from Canada, if the Customs Duties should amount to a very large sum. I shall, therefore, vote for the Resolutions, but I shall support the recommendations of the Hon. Member for Victoria District, because I consider that it is grounded on common sense.

Hon. MR. BARNARD, Member for Yale, said:—Mr. Chairman, I shall support the Government proposition as it stands, particularly the estimate of 120,000. New Brunswick, with a population of 250,000, is entitled to fifteen members in the Dominion House of Commons. If the basis of representation is to be taken from population, then 40,000 would only entitle us to two members in the House of Commons, instead of eight. For that reason, in my opinion, if for no other, 120,000 ought to stand. Besides, as a matter of fact, our population exceeds 40,000. There is not an Indian in the Colony who does not contribute as much to the revenue as a Canadian. They are entitled to be represented as well as white men. Eight Members in the House of Commons will give us, as has been suggested, almost the balance of power between parties; eight, standing firmly together, will have great influence, but what would be our influence with two?

After a few words from Hon. Mr. Humphreys, in support of the basis of population, as disclosed in the scheme of the Hon. Mr. DeCosmos,

The several recommendations of the Hon. Messrs. DeCosmos, Drake, and Robson were read by the Clerk.

Some discussions ensued as to how the vote was to be taken, and the Chairman decided to put the recommendations of Hon. Mr. DeCosmos first, by itself, and then the recommendation of Hon. Mr. Drake, which was an amendment on the recommendation of Hon. Mr. Robson.

The recommendation of the Hon. Mr. DeCosmos, on a division, was lost. Ayes 5, Noes 14.

The recommendation of the Hon. Mr. Drake, as an amendment to that of the Hon. Mr. Robson, on a division, was carried.

Clauses 2. and 3, were then passed as read.

On motion, the Committee rose, and asked leave to sit again.

Hon. Mr. DeCosmos voted against the Report of the Committee being adopted.

House adjourned at 6 p.m., until 1 o'clock on Wednesday.

### Wednesday, 16th March, 1870.

Committee sat at a quarter past one.

The Hon. ATTORNEY GENERAL moved the adoption of Clause 4:—

4. The Dominion shall guarantee Interest at the rate of 5 per centum per annum on such sum, not exceeding £100,000, as may be required for the construction of a first class Graving Dock at Esquimalt.

He said, it is pretty generally known that a company was started for the construction of a Graving Dock at Esquimalt, and that negotiations with that object in view had taken place under a former administration, but although both the Admirals and Governor Seymour had reported in favour of it, the thing had fallen through, owing to the inability of the company to obtain the necessary funds. They were only able to get a small loan in aid from the Admiralty. The Dominion guarantee of 5 per cent. on £100,000 sterling, with a prospect of ultimate profits from the undertaking itself, will, it is believed, secure the whole amount of capital required, which has been variously estimated; but from preliminary surveys and investigations which have been made, the sum of £100,000 is deemed sufficient, and there is little doubt that if a company can get a guarantee for that amount, they can carry out the undertaking on the largest practicable scale. I am aware that some opposition has been expressed to the locality; but it is to be supported on general grounds. It will be general to the whole Colony. £100,000 cannot be spent in any part of the Colony without benefiting the rest of it. The Navy are at Esquimalt. Esquimalt is the first port which Ocean ships reach when they want repair, and the last point they leave when they receive sailing orders. Captain Richards, and all the Admirals from first to last, have reported in favour of Esquimalt for a Dock. Without Admiralty patronage and aid, the thing could not succeed. Another advantage in a Dock would be, that it would enable us to utilize our great white elephant—the Dredger. As to any opposition to the locality for Burrard Inlet and New Westminster, though as much interested as any Hon. Member round this Board in those places, I must say that they already have the larger share of benefit from the terms; for in my opinion the Overland Railway



must follow down the main artery of the Colony—Fraser River—and have its terminus either at New Westminster or Burrard Inlet. Therefore, on public grounds, and because I believe that it will be a public benefit, I support the establishment of a Graving Dock at Esquimalt.

The Hon. MR. HOLBROOK,—Sir, I rise to oppose this clause, because I deem it too sectional; all sectional views should be set aside. I think the locality should certainly be left out, and the question decided hereafter. I have no objection to getting all the money we can from Canada, but I am not sure that there is any present necessity for a Dock. I believe that for some time to come, it will be cheaper to send ships to San Francisco. What is wanted, is one of Clarke's patent Slips. We shall, before long, have plenty of ships at Burrard Inlet, and when the community requires it we shall have plenty of private parties ready to come forward to construct them. Both at Burrard Inlet and New Westminster, there is so great a rise and fall in the tide that they would be good places. I have been asked to support the substitution of Burrard Inlet for Esquimalt in the terms, but I will not do so. I would prefer striking out the name altogether. We ought, I say, to let go sectional ideas, and go in for the public good.

Hon. MR. HUMPHREYS said,—Sir, I am at a loss to understand any opposition to this clause. Any such guarantee, if it lead to the expenditure of so much money in any part of the Colony, will be an advantage to the whole community. It is an easily understood benefit. It will not, in my opinion, make much difference where it is built; perhaps it would be better to leave the selection of the locality to a Committee, who might indicate to the Canadian Government the best locality. I am of opinion that we want a Graving Dock, we don't want ships to go to San Francisco.

Hon. MR. ROBSON, Member for New Westminster, said—I may, perhaps, be expected to oppose this clause, and ask for New Westminster to be inserted, but I shall not do so. I have no sectional feelings in supporting Confederation. I think the word Esquimalt is perfectly harmless, although like my Hon. friend (Mr. Holbrook) I should have preferred that no locality had been made. I do not think that naming the spot will, of itself, decide the question. The Dock will no doubt be built in the most suitable place. As the word is in, let it remain.

Hon. MR. WOOD said,—Sir, I agree with what has fallen from Hon. Members who object to the naming of the locality, and I shall move that the word "Esquimalt" be struck out, and the words "such place as the Dominion Government shall appoint" be inserted. I desire, if we are to have this organic change, that we should be free of sectional and local feelings of irritation. The naming of Esquimalt as the locality for the Dock, seems to me to be an endeavour

to purchase the good-will of Victoria, whose population is known to be anti-confederate. ["No, no," from DeCosmos]—of Victoria, which stood the test of Confederation at the last Election, and whose Members sit here pledged against Confederation. This is bidding for the favour of the Victoria constituency. ["No, no," from Hons. Attorney General and Chief Commissioner.] I judge of the effect which it is likely to have upon others by the effect it has upon me. I own some small portion of land at Esquimalt, at Constance Cove, near the probable site of the Docks, and that I confess has a softening effect upon me; and though I do not allow it to influence my vote, it does influence my mind. [Laughter.] Confederation, as the Hon. Member for Victoria (Dr. Helmcken) has said, means a Railway, Docks, and money; it means to each person the possibility of getting \$1,000 at the end of two years, or \$100 a month in rents. I do not believe that these terms will be submitted to, and if the inducements are taken away, I say the people will not have Confederation. If they do accept it under the inducement of material benefits, I fear that we shall very shortly see a strong feeling of reaction. Why should we name Esquimalt? What right have we to do so, if it is not intended to have effect on the Victorian interest? Why not leave it open? If Esquimalt is named, it seems to me to tie down the Dominion Government to a locality of which they may not approve, and may be disadvantageous to the negotiation. The more that is left to the Dominion Government, the better is the chance of carrying out the negotiations successfully.

Hon. MR. DECOSMOS—What is the estimated cost of constructing the Docks?

Hon. ATTORNEY GENERAL—£100,000.

Hon. CHIEF COMMISSIONER—I think Mr. Chairman, that it is much to be regretted that the Hon. Mr. Wood has attributed not very creditable motives to the Government. ["Hear, hear."] I am sorry to have to say so. I am sorry I cannot congratulate him on statesmanlike qualities when he says he might have been influenced. I have never taken this view. I believe the influence of a vote never occurred to any Member of the Executive Council. I protest against such insinuations. I congratulate the Hon. Member for New Westminster upon the course he has taken, and on his support of the Government without reference to any sectional views. I feel bound to explain why Esquimalt has been named by the Government. The main object in asking for a Graving Dock there, is to secure the head quarters of the Navy, on the Pacific coast, within the Colony. When you come to remember that Esquimalt is the Naval Station, and has been for years, and when you come to consider that assistance is offered by the Imperial Government, it will not be difficult to discern that there was reason on our side. I could give you good commercial reasons, but it is sufficient to say, that the

Government named Esquimalt, especially, with a view to the retention of the Fleet; both the late Admiral and the late Governor agreed in reporting in favor of Esquimalt; we should therefore have been remiss in not pointing it out. I think it hard that the Government should be twitted with the intention of catching votes. [Hear, hear," from Mr. DeCosmos] I scout the idea. There is an Imperial Act, which only allows the Admiralty to lend a limited sum to Colonial Docks. The Act of 28 & 29 Victoria, Cap. 206. This Act allows a loan of £20,000 from the Admiralty upon certain terms; it is a loan of so much money that is contemplated, and not a guarantee of interest. Last year I stated to this Council, that the Admiralty had offered to lend £20,000, at 4 per cent. The Company did not think it sufficient inducement. We hope to get Imperial assistance still, that is one reason for the locality being named. I stand here to say that Esquimalt is the place. I am surprised that a Member from the Mainland should bring an accusation of sectional proclivities against the Government in this matter, for the Railway will specially benefit the Mainland; I believe and hope it will follow down the valley of the Fraser, and immediately benefit the district from which the Hon. Member comes. Fraser River is the main artery, and the probable course of the Railway. I did not, therefore, expect to hear of any sectional prejudice in the Resolutions from any Member from the Mainland, when, if there is any immediate benefit to any special locality, it will be to the Mainland of British Columbia.

Hon. Mr. RING, Member for Nanaimo, said:—Sir, I am prepared to support the Government upon this clause. Why should we set ourselves up in opposition to the opinion of the successive Admirals who have been upon this Station, and who can have no prejudices? I think it is a waste of public time to impute motives. Esquimalt has been pronounced by Engineers to be the proper place. I am not one of those who, like certain Hon. Members here, would constantly "pin their conscience on their sleeves for daws to peck at." Such motives as are suggested, could never have entered into the minds of the Executive. They have been repelled by the Hon. Chief Commissioner, and why should we be accused of giving personal votes?

Hon. Mr. WOOD—No personal motives are imputed.

Hon. Mr. ROBSON—It seems like such an imputation. I think the Hon. Member should withdraw his motion. Consider how such a principle as that suggested by the Hon. Mr. Wood would work. It in effect, amounts to this:—"Because you have a local interest, you must refrain from supporting by your vote what you conscientiously approve of as beneficial to the community."

Hon. Mr. WOOD—I must correct my Hon. friend (Mr. Ring). I do not attribute personal motives in any improper sense; but

I say, is there a butcher, or baker, or any other man who will, in these days of pressure, fail to vote as his pocket will be influenced? The material benefit to the individual is an influence at all elections, and rightly so. I can see, in my mind's eye, banners floating at the next general election, and can imagine placards posted with the inscription in the largest type: "Vote for DeCosmos and the Esquimalt Dock." This object may not be intentional, but yet can it be otherwise? What is it? Intending without intending? I deny that I impute any dishonest motive in the Executive, but it is clear that the Dock at Esquimalt will influence many votes, and I confess I gave them credit for foreseeing so obvious a consequence.

Hon. CHIEF COMMISSIONER—I say this, Sir, that if any such motives had guided the Executive Council; if any considerations, such as have been suggested, had swayed them; if the object had been a different one, we could have prepared a much more palatable dish; we could have shewn you pecuniary advantages. If we had had the intention to get votes, we could have framed the Resolutions very differently. But they were framed with no such views. It was the intention of the Government to prepare terms on a fair and proper basis, to be submitted to the people.

Hon. DR. HELMCKEN—As a Member of the Executive Council, Sir, I confess that I was pleased to see Esquimalt mentioned as the site for the Docks. I will meet the Hon. Mr. Wood on this issue, and say that supposing this is put in for the sake of gaining the vote of the Victoria people, what is Confederation? Confederation means union to benefit every part of the Colony. To follow out the Hon. Member's reasoning, there should have been no public works at all named in the conditions. I state that the insertion of Esquimalt in the Government Resolutions was not governed by sectional prejudices. The Executive Council took the broad view, that it was for the interest of the Canadian Government to build this Dock, because if Victoria prospers under Confederation, it will be so much the better for the Dominion revenue. If the work is a benefit to Victoria, through bringing labourers, it will benefit the whole Colony, and our position will be improved, and therefore we shall become a more important part of the Dominion. If it pleases the people of Victoria, if they consider it a sufficient inducement to go into Confederation, let them do so. The people of Victoria are here to make money, and not to found empires; their children may perhaps make the kingdoms and empires. If the people like Confederation on these terms, I say let them vote for it.

Hon. Mr. CARRALL, Member for Cariboo—"It may not be intentional but it is so," were the concluding words of the Hon. Mr. Wood. I say yes. So far as this: that the whole of the conditions of this scheme were intended to benefit the whole of the Colony. As a Member of the Executive Council, I



repudiate entirely the narrow motives which have been suggested by the Hon. Mr. Wood. The Executive Council were actuated by no sectional views; their object was to make the whole of the Resolutions, not only palatable, but beneficial to the Colony. The merits of Esquimalt as a site for the Docks, are in themselves a sufficient reason to advance in favor of the Executive opinion being correct. I shall vote for the Clause as it stands.

Hon. MR. DECOSMOS—I am one of those who think it proper to have the locality for the Docks named; and I think the Government would have made a blunder if they had left out the word "Esquimalt." It would have been wrong in my opinion if the Government had framed the Resolutions with any sectional views. But it appears to me whilst they are likely to do the Colony good generally, they have been framed with a tendency to create the popular vote, and I do not see much harm in that. The point which I want to hear about is, whether £100,000 will be sufficient to construct a good Dock; and what sort of a Dock it is to be? It is possible that a large Stone Dock may not be of so much use as a Patent Slip. I have visited the Floating Docks in the Arsenals of the United States, to take such observations as would serve an unprofessional man. And I confess that if it is to be a Stone Graving Dock in Constance Cove, to admit of one vessel at a time, I am inclined to the opinion that it would not be as good, or as much public utility, as a Patent Slip. I shall support the item, or a larger sum than £100,000. I believe that a Dock, or a Patent Slip, at Esquimalt, will attract ships from Puget Sound. It is a step in the right direction. There is a feeling abroad, that the Colony would have to construct this Dock. This would be a mistake: but to get Canada to endorse the scheme, by giving a guarantee for the interest, is in my opinion the right course to pursue.

Hon MR. TRUTCH—That is the intention; that a private company should undertake the work, the Dominion giving a guarantee. It will be left for the company to choose. Probably Clarke's patent slip, with hydraulic lift, would be the easiest worked, as it would be the cheapest. It could probably be erected for £75,000, whereas a cut stone Graving Dock would cost more. One of the advantages of the latter would be that there would be more money expended in the Colony during its construction, whereas the principal cost of a patent slip would be expended elsewhere for machinery. I cannot say if £100,000 would be enough for the construction of a cut stone Dock or not. I think that a guarantee of five per cent on £100,000 will be a sufficient inducement for any company to take the matter up. I am convinced that £100,000 will not build a stone Dock of sufficient capacity to take in such a ship as the Zealous.

Hon. MR. WOOD—If the people of Victoria desire the terms why should not they vote for Union? My desire is, if we are to be united, to see a union which shall be

lasting. I say that these terms are not lasting. They are in the nature of direct and immediate pecuniary advantage. Reaction will set in after the Railway and Dock are built. Show me in these terms continuing and abiding benefit and I am satisfied. Let the people of Victoria choose, but I ask Hon. Members, who understand human nature, whether the people would not choose direct benefit in preference to prospective and continuing advantages. Mankind will choose direct present pecuniary benefit, rather than that benefit which is to be lasting and remote. I fear reaction. I look upon this place as my home, and shall complain, I think with justice, if ten years' hence I find a great reaction of the present hasty action.

Hon. MR. HELMCKEN—Would it be better to have Confederation with no terms at all, or with terms equal to these?

Hon. MR. WOOD—I ask for different terms; power to impose our own tariff for instance.

Hon. MR. HELMCKEN—The objections of the Hon. Member are not correct. When the Dock and Railway are built, I admit that some source of labour, and consequent interest, will be gone, but then we must look for other interests to arise. I admit that discontent may arise; it has frequently been so in England, when a large number of labourers have been thrown out of employment; but I say that the Dominion and Local Governments will have the power and the sense to remedy any such evils as they occur.

Hon. ATTORNEY GENERAL—I cannot fancy anything more calculated to promote permanent benefit than the establishment of Graving Docks. Every ship that comes in would spend money, would be a benefit to the town, and a continuing benefit; and not to the town only, but to some extent to the whole Colony. If the Colony goes on and increases, so must the work to be done in the Docks go on increasing. I regret that the Hon. Mr. Wood should have taken the ground that the Executive are influenced by any sectional motives. I do not see why the Hon. Member should refuse benefits which come under Confederation. He would surely not prefer to go in without terms.

Hon. MR. DRAKE—I doubt whether the amount named is large enough. I have information from good authority that double that amount will be required. Canada is only asked to guarantee the interest. I shall, therefore move an amendment, in the shape of a recommendation to His Excellency, that the sum of £100,000 be increased to £150,000 in the conditions. I am of opinion that the terms should be put in as favourable a light as possible for this Colony.

Hon. MR. PEMBERTON—I would ask the Chief Commissioner of Lands and Works whether it would be possible to connect the supply of water with the Docks. London is supplied by a large fresh water reservoir, and it is possible that the same course might be adopted as regards this city. If the course

of the water in the valley of Victoria Arm were stopped, the Gorge being a natural valley, if it were possible to exclude the salt water from the whole of Victoria Harbour, a vast natural reservoir of fresh water might be formed, which would supply the whole city with water. Being no engineer, I feel some diffidence in putting it forward. I only put it as a suggestion to the Chief Commissioner, with the view of inquiring whether it could be done.

Hon. CHIEF COMMISSIONER—It is impossible for me to offer an opinion upon the suggestion of the Hon. Mr. Pemberton. The supply of water upon the supposed plan, would contemplate the expenditure of much more money than the sum required for Graving Docks besides the proposed place is too low, and would necessitate the water being pumped up to a second Reservoir. Moreover I am of opinion that the supply of water is too much of a local matter to be worthy of mention in the Terms.

Hon. MR. HOLBROOK—My Amendment is, that the word "Esquimalt" be struck out, on the grounds that it is too sectional. I believe that any Company which is formed will erect a Patent Slip, instead of a Dock. It has been shown in practice to be more useful. I move that the word "Esquimalt" be struck out.

Hon. MR. WOOD's recommendation to strike out the word "Esquimalt," and to insert "such place as the Dominion Government shall appoint," on division was lost, two only voting in favor of it.

Hon. MR. DRAKE's recommendation "That the sum of £150,000 be named," on division was lost, eight voting in favor of the recommendation.

Clause 4 was then passed as read.

The Chairman then read Section 5.

5. In addition to the other provisions of this Resolution, Canada shall assume and defray the charges of the following Services:—

a. Salary and allowances of the Lieutenant Governor;

b. Salaries and Allowances of the Judges and Officers of the Supreme Court, and of the County Courts;

c. The charges in respect of the Department of Customs;

d. The Postal Department;

e. Lighthouses, Buoys, Beacons, and Lightship, and such further charges as may be incident to and connected with the Services which by "The British North America Act, 1867," appertain to the General Government, and as are or may be allowed to the other Provinces.

The Hon. the ATTORNEY GENERAL moved the adoption of this Clause, which he said was taken from "The British North America Act, 1867," and would relieve the Colony of the payment of a certain amount annually in the shape of Salaries.

Hon. MR. HUMPHREYS—I shall move a recommendation that the maintenance of the Roads by the Dominion Government, be included in this Clause.

Hon. MR. DECOSMOS—This seems to be a made up Clause, it is provided for in "The British North America Act," and the insertion of the Clause in these Resolutions looks like setting it before the Country for the object of educating them up to what they are expected to ask for.

Hon. ATTORNEY GENERAL—It is an essential part of the whole scheme.

Hon. MR. TRUTCH—I think it is partly provided for by "The British North America Act," yet it is included in the Terms of the proposed admission of Newfoundland.

Hon. ATTORNEY GENERAL—And of all the other Provinces.

Hon. MR. ROBSON—I do not agree with the Hon. Member for Victoria District. I think the Act of British North America applies to original Provinces, and provision is made for the admission of others. They might be presumed to apply to us, but I think it is proper to ask in an address that these charges should be put in, and that it is as necessary to insert these as it is to insert any clauses. We should make it plain that we desire to have these terms applied to us.

Hon. MR. DECOSMOS—There is no provision in paragraph b. for payment of salaries of Judges of Admiralty or District Courts.

Hon. MR. WOOD—I move to strike out these paragraphs; they are mere verbiage. One word with respect to the Admiralty Court, which ought to be included if the Supreme Court is inserted.

Hon. ATTORNEY GENERAL—We have no power, as a Council, to deal with the constitution of the Admiralty Court; nor is this the proper time to enter into any discussion respecting it.

Hon. MR. WOOD—I say we have every power, and I take this opportunity of saying that the Admiralty Court is badly managed. I have heard it insinuated that the Judges of the Admiralty Court in this Colony have been influenced by fees to prolong the business of the Court, and drag out Admiralty business to its utmost length, instead of pushing it through, as the business of the Common Law Courts is pushed through. There ought to be no fees. Admiralty practice in this Colony is likely, in case of war, to assume enormous proportions. I do not see why a condition should not be inserted to provide us with an Admiralty Court with Judges to be paid by fees.

Hon. MR. DECOSMOS—Does the Hon. the Attorney General intend to insert Admiralty Court?

Hon. ATTORNEY GENERAL—We must not arrogate to ourselves powers which we have not; and the insertion of such a clause in the Resolutions which we are now discussing would be entirely out of place, and I would suggest to Hon. Members not to introduce



this Resoluition now, but let it be brought up as a substantive measure. It cannot be brought up again if it is decided now.

Hon. MR. WOOD—I said, and I repeat it, that if the Imperial Government were properly approached this thing might be done, just as if the Crown were properly approached, the Crown Salaries Act might be repealed.

Hon. MR. DECOSMOS—I think some action ought to be taken. I wish to call attention to the fact that the Canadian Parliament have power to fix the salaries of the Judges in Admiralty, where they are paid by salaries.

Hon. ATTORNEY GENERAL—Then bring the matter up separately.

Hon. MR. DRAKE—I would draw the Attorney General's attention to section 100 of the "British North America Act," which includes Admiralty Courts where the Judges are paid by salaries and pensions. It is expressly stated that the terms of the "British North America Act" shall apply to this Colony; then why not insert it in the words of the Act, though we are aware that these Resolutions have to be carried, there is no reason that we should not add recommendations. I think section 100 of the Act is better than our clause. I will move the addition of the word "pensions."

Hon. MR. ROBSON—I cannot see that the application of section 100 would meet the case. It would be ineffectual because our Judges of the Admiralty Court are not paid by salaries, therefore it would be inoperative as regards British Columbia. Whilst I deem it quite desirable to make the change suggested, I do not think this is the time to make it. I should suggest postponing the discussion of the question as to Admiralty Court until these Resolutions are settled.

Hon. MR. TRUTCH—Why complicate the question? Why not bring it up in open House and discuss it?

Hon. MR. WOOD—It could be done in three or four months. The Judges of the Admiralty Courts could be put upon salaries, and Section 100. would then be applicable. We are upon the question of Judges, and why not decide it at once.

Hon. MR. TRUTCH—I am not prepared to discuss this question, as to the Admiralty Court, now. If proper notice is given of its being brought up, I shall then be prepared to go fully into its merits.

Hon. MR. WOOD—The principle is bad to pay Judges by fees.

Hon. MR. RING—The question is: are the Judges of the Admiralty Court Judges? Why should we not say, say clearly and unmistakably what we mean? I shall support the recommendation of the Hon. Mr. Wood, and I hope the members of the Government will pause before they oppose it. Let them consider whether it is desirable to admit the principle that any person exercising the office of a Judge should be paid by fees. I say that the question is properly before us now, and

the recommendation comes fairly and correctly in this place.

Hon. MR. ALSTON—I agree with the Hon. Mr. Wood, as to the constitution of the Admiralty Court, but should vote against the recommendation, and for the Resolution, because I do not think that this recommendation, or amendment, for it virtually amounts to that, if acted upon by the Executive, would effect the cure; the Judges would still take fees.

Hon. ATTORNEY GENERAL—I shall be obliged to vote against this recommendation, if it is pressed, on account of the way in which it is brought up here. The friends of the alteration are those who are refusing to join in bringing it forward at this inopportune time. A vote taken now, would prevent free discussion of the subject. I recommend the Hon. Member to withdraw his amendment, and I invite full and free discussion of the subject of the Admiralty Courts upon a special day to be fixed.

Hon. MR. TRUTCH—This discussion is inapposite at this time. If this side of the House were against the consideration of the payment of Admiralty Judges by fees, they could let it pass in Committee, and kill it in the House; then, under our Standing Orders, it could not be brought up again, but we do not intend to do so. I shall vote against it.

The Hon. Mr. Wood, with the permission of the Council, withdrew his recommendation, on the understanding that it was to be brought up at a future day as a distinct motion.

The Hon. Mr. Drake's recommendation as to Pensions was put, and lost.

Hon. MR. WOOD—It is treating the recommendations of non-official members with contempt and disrespect, to find the Government Members voting them down. ["No, no," from the Attorney General.] ["Yes, yes," from Mr. Drake.] Let us have an opportunity of putting our opinions upon record. This Government vote operates as a wet blanket upon all occasions.

Hon. ATTORNEY GENERAL—It is the common sense of the House, which says that recommendations which are against the basis of the Resolution should not pass.

Hon. MR. HUMPHREYS—If what we do is not to meet the eye of the Executive, it is of no use being here. I never felt so mean. Our position in this Council is nugatory; utterly futile and contemptible. If all the elected members felt as I do, we should leave the Council in a body, and have nothing more to do with it. ["Hear, hear," from Mr. DeCosmos.] I find it difficult to speak of the Government conduct of business in this House with patience.

Hon. MR. TRUTCH—I should really like to know what this is all about. One Hon. Member says that the course is disrespectful, because the sense of the Council was against him. The Hon. Member for Lillooet in-

dulges in a species of harangue which is peculiar to him, when he is at a loss for an argument, he shakes the red flag of officialdom before him, lowers his head, and charges at it madly. With regard to disrespect, I think we treat them with respect by discussing them here at all. We might allow them to pass here, and vote them down in the Executive; but instead of that, the Executive Members enter freely into the discussion here, and declare what their views are fully. As to voting recommendations of Hon. Members down, when a suggestion is made to substitute one scheme for another, it would be strange if the Government Members should not unite in voting it down. With regard to the recommendations for adding to the terms and conditions, they ought to be carefully made, or their insertion may create great disappointment in the public mind by leading people to expect more than will be acceded. Hon. Members should weigh their votes well. I, for one, will not vote for what I cannot recommend to His Excellency in the Executive Council.

Hon. MR. HUMPHREYS—I am not in the habit of holding my head down, I always hold it up. I agree with the Hon. Mr. Wood, that all we are likely to do for the public benefit is crushed by the official vote.

Hon. MR. CARRALL—The Hon. Mr. Wood has stated that the recommendations of the Elected Members would be treated with contempt. He is not a Member of the Executive Council. I as a Member of that Council can tell him that they are always treated with the greatest respect.

Hon. MR. WOOD—What I say is that the recommendations of Independent Members do not reach, and will not reach, the head of the Executive. We want them to reach. We all believe that the Members of the Executive will mention them, but that is not what we want. We desire that these recommendations should meet the eye of the Executive. I disdain to consider that the Executive rules this Colony. They do not; they administer the Government, and I consider it to be the duty of the Executive to sink their own views, when they do not accord with the popular will. It is quite possible that the Executive may be wrong and the Popular Members right occasionally.

Hon. MR. TRUTCH—I do not think the position of the Hon. Mr. Wood is correct. There are now Three Resolutions of, so called, Popular Members before the Executive; why are so many of their recommendations carried if there is any desire to treat them with disrespect? The difficulty is, that the Hon. gentleman persisted in trying to force a vote upon his Resolution about the Admiralty Court. I, if pressed to give an opinion at an inapposite time, would vote against it.

Hon. MR. DECOSMOS—The conviction in and out of this House is, that the Elected Members are useless, being out-numbered by the official vote. The only reason why

I would endeavour to be elected to a seat, in a Council so constituted, is to prevent evils that might happen. The Government might get tools to go in and vote as they liked. The Government might get some one to be elected, and then call it the popular vote. The mistake has been in interpreting recommendations into amendments.

Hon. MR. ROBSON—Mr. Chairman, I think that nothing can be more unfair, nothing more ungenerous, than the position taken by some Hon. Members towards the Government. This scheme was brought down to the House by the Government, and we were invited by the Hon. Attorney General, and other Members of the Government, to make any recommendations or suggestions that we thought proper, and they would receive every consideration at the hands of the Executive. I fail to see one single act or vote at variance with that position. I have seen the leading Members of Government voting different ways; and this I take to be an evidence of their sincerity. There seems to be a disposition to run away with the impression that the unofficial members are treated with disrespect, to me, Sir, such a position is undignified and absurd. Because I have moved a recommendation, and the House has voted it down, am I treated with disrespect. Why I follow this up and an adverse vote would be in every case an insult to the minority, and legislation would become an impossibility. I am grateful to the Government for what I consider a great scheme, grateful for having the opportunity of voting upon it, and I join the Hon. Chief Commissioner in warning the House against voting alterations in the Terms, lest such a course should create hopes to be afterwards disappointed, and lead to a reaction which might result in the defeat of the whole scheme at the polls. I would also caution Hon. Members to avoid attempting to induce the Government to insert terms which would imperil the scheme with the Dominion Government. I shall set aside any particular views and suggestions I should like to make, to avoid that result. I can understand enemies of the cause rushing in resolutions calculated to raise extravagant hopes, and so produce disappointment and fatal reaction, but not friends of the cause. In recommending alterations to Government our reason and judgment should be fairly and calmly exercised.

Clause 5 was put to the Committee by the Chairman, and passed as read.

The Chairman read Clause 6:—

6. Suitable Pensions, such as shall be approved of by Her Majesty's Government, shall be provided by the Government of the Dominion for those of Her Majesty's Servants in the Colony, whose position and emoluments derived therefrom would be effected by political changes on the admission of this Colony into the Dominion of Canada.



The Hon. ATTORNEY GENERAL said:—In proposing the adoption of this clause, it is only necessary for me to state to the House that it is inserted in accordance with Lord Granville's despatch. Confederation will, in all probability, affect the positions of certain officials, and the despatch advises that provision should be made, hence this clause.

Hon. MR. HUMPHREYS—I do not approve of the principle of pensions, and I cannot understand why pensions should be given to men who came out to this Colony, as I came out, as needy adventurers. The people of this country do not approve of pensions. If Hon. Members had been induced to come out from England to assume positions under Government for life, I could understand their being provided for with pensions, on the positions being abolished. I was once a Government Officer in this Colony myself, and should of course have liked to get a pension; but in my opinion the present Government officials have drawn very good pay for doing very little work, for long enough; and before a pension is given, it should be shown that the person to whom it is given has done the State some service.

Hon. MR. DECOSMOS—We have now, Sir, arrived at the Government's "wisdom" in delaying Confederation in 1868, and subsequently, and of which we heard from the Hon. Chief Commissioner of Lands and Works. The Hon. gentlemen who own this Colony, for the Governor and Executive virtually own the country, are now ready to execute a quit claim deed of this Colony to Canada, for a pension to each, and it may be the cheapest mode of getting rid of them. Pensions are a modern discovery. The Romans granted triumphal entries as a reward to their most distinguished citizens; and the Greeks crowned those whom they would honor with laurels; but now pensions are the fashion. How much more substantial! The whole secret of the opposition of the Government to Confederation lay in the question of pensions. [No, no]. [Yes, yes]. Still I shall vote for the clause, as I believe this to be the cheapest way of buying out the present possessors, the virtual owners of the Colony. I think it ought to be pensions or compensation, but I will move no amendment.

Hon. MR. HOLBROOK—I am prepared to support this clause. It shows that Great Britain does not forget her public servants. It is a good and proper clause, and a usual one. This is following out what is done in every other British Colony. I shall support the clause.

Hon. MR. WOOD—I shall support this clause. It stands out in strong contrast to the action of the Imperial Government, in their treatment of public officers upon the occasion of another Union. I am glad to see this clause inserted, as representing a principle that ought always to be recognized.

Hon. DR. HELMCKEN—The Hon. Member for Victoria District is attributing motives again. If he throws dirt on others, he must expect to have it thrown back on himself, and it might as well be said that Hon. representative members who vote for Confederation, only voted for it for the sake of the loaves and fishes. ["No, no," from Mr. DeCosmos]. This is a question for the Canadian Government, not for us. Government officials are entitled to some compensation for loss of offices, and the Canadian Government will think so too. To them I leave it. They will, I believe, settle the question honourably.

Hon. MR. DECOSMOS—I challenge any man to say that I ever asked to have any Government post or appointment. I have lived half a century, and three-fourths of that time I have earned my own bread, and spent my own money.

Hon. DR. HELMCKEN—I don't accuse the Hon. Member of seeking office. I say the argument might be used, and if gentlemen will throw dirt, they must expect to get it thrown on them.

Hon. MR. DECOSMOS—The remarks I made, were as to times past. As to dirt. I never use it. I deal in facts. I know men, however, who have for themselves and friends stuck closely to the loaves and fishes, and I could name some public men who did their best and succeeded in depriving the Colony of Vancouver Island of half a million of dollars, that the Duke of Newcastle, as Colonial Secretary, said belonged to it. [Hon. Mr. Helmcken—"Name"]. No, I will not mention names. I say, again, that the chief reason for this question not being taken up in 1868, was because pensions were not provided. Now, Sir, I am glad the Hon. senior Member for Victoria City has afforded me an opportunity to explain the part that I took in pressing Confederation on the Council in 1868. I first endeavoured, with the Hon. Member for New Westminster, to enlist Governor Seymour in the matter,—get him to take it up as a Government measure,—and open negotiations with the Canadian Government. But he refused to interfere in it, and said the Council might deal with it. Without the support of the Governor, in a Council so constituted, there was no hope for the measure. It then became a question whether any Resolution on it ought to be brought forward in the Council. Some confederates urged that it would not do to have a Resolution defeated. On the other hand, I thought it best to make some proposition, merely to elicit an expression of the Council's opinion, and show the country its attitude on the question. For in agitating the question, unless it could be proved incontestably that the Council and Executive were opposed, the people could not be aroused to take action. I, therefore, brought it up in a series of Resolutions before the House, and not in Committee of the Whole. If I had had the least hope that it would have passed, I would have had it considered in Committee of the Whole, the

proper place to settle such an important matter, after the terms had been settled between the two Governments. As a matter of course, the Resolutions were defeated. But subsequently, when it was urged upon the Governor, at the instance of the Collector of Customs, that the Council be allowed to take action, he said "No. Let the people act."

Hon MR. CARRALL—I shall vote in favour of this clause, and I only desire to offer three remarks, the Council have had two objects mainly in view: first, to bring in a scheme which should bring general prosperity; and, secondly, that no vested interests should be affected by the act of Confederation. The positions held by official gentlemen are, I contend, vested interests, and as such, entitled to protection. As regards the way in which members have been treated in other Colonies, there are numbers who are now receiving pensions. I may instance two notable members of the Imperial Government: the Right Hons. Robert Lowe and H. C. E. Childers. I desire to put it upon record that I vote for this clause with as much pleasure as I support any clause of the Resolutions.

Clause 6 was then read by the Chairman, and passed as read.

The Hon. ATTORNEY GENERAL proposed the adoption of Clause 7:—

7. The Dominion Government shall supply an efficient and regular fortnightly Steam Communication between Victoria and San Francisco, by Steamers adapted and giving facilities for the conveyance of passengers and cargo.

This clause speaks for itself, and it is unnecessary for me to say anything in support of it.

Hon. MR. DECOSMOS—I regard this paragraph of the Resolution as a make-weight, nothing more nor less. It is a mistake to make it one of the essential conditions. The time may come when we don't want this steam communication. The Railway may come to Puget Sound, and then this clause will be unnecessary. People will say, at first, that this is a splendid thing. But it is all included in the "British North America Act."

Hon. CHIEF COMMISSIONER—The Hon. Member refers, I suppose, to clause *b.* of Section 92, which excepts "Lines of Steam Ships between the Province and any British or Foreign country" from the "Local works and undertakings" which are declared to be subjects of exclusive provincial legislation. The Dominion Government would have to make provision for mail steamers. This clause provides for regular communication. When we have communication with Canada by railway, such a clause as this would be unnecessary, but now, if confederated, we shall need more than ever, regular and more frequent communication with San Francisco, which is the chain of communication with Canada.

Hon. MR. DECOSMOS—There seems to be a spirit of distrust in this and other clauses of these Resolutions, a desire to have everything in writing. I believe that we should have a steam ship line without this clause.

Hon. DR. HELMCKEN—The Hon. Member says it is of no use. If the clause was not there, the Dominion Government need not give us this communication. Postal communication it must give, but that means only communication with Olympia.

Hon. MR. ROBSON—I do not think that this implies distrust any more than asking a man to give a note for a debt implies distrust. In the conditions framed on the admission into the Confederation of Prince Edward Island and Newfoundland, these matters are set out with great minuteness. I perfectly agree that we might trust the Canadian Government, but we are not in Canada, and we are asked to name specific terms. Surely we ought to do so. It would be very unbusiness-like to say to the Dominion, we will leave it all to you. The Dominion Government would say let it be prepared in black and white, so that we may say whether we can perform it or not.

The Chairman read Clause 7. Passed as read.

The Hon. ATTORNEY GENERAL proposed the adoption of Clause 8:—

8. Inasmuch as no real Union can subsist between this Colony and Canada without the speedy establishment of communication across the Rocky Mountains by Coach Road and Railway, the Dominion shall within three years from the date of Union, construct and open for traffic such Coach Road, from some point on the line of the Main Trunk Road of this Colony to Fort Garry, of similar character to the said Main Trunk Road; and shall further engage to use all means in her power to complete such Railway communication at the earliest practicable date, and that Surveys to determine the proper line for such Railway shall be at once commenced; and that a sum of not less than One Million Dollars shall be expended in every year, from and after three years from the date of Union, in actually constructing the initial sections of such Railway from the Seaboard of British Columbia, to connect with the Railway system of Canada.

I move this Resolution, Mr. Chairman, as being the practical bond of Union between the Dominion and this Colony. I leave it to other members to discuss the details. I merely say that three years is the time deemed necessary to make preliminary surveys, and the expenditure of a sum of \$1,000,000 is the best practical guarantee that the work will be done. The Dominion would not submit to the expenditure of such an amount if they did not intend to push the work forward as quickly as possible.



Hon. MR. DECOSMOS—Sir, I do not claim any honour in connection with the Resolution respecting the Railway. I am perfectly willing to accord the praise that is due to the originator of this clause, but think a portion of it a great mistake. I do not altogether like the way in which these Resolutions are got up. I don't like the preamble as to "real union." In all these Government Resolutions there is something of a "catching" character; little hooks to catch the popular vote. Material union can exist without railroads. Look at the real union between this Colony and Great Britain. People who were here in 1859 may recollect how safe they felt during the San Juan difficulty, and subsequently during the Trent affair. There was then a physical union: we felt that we should be protected by force if necessary. I believe that I was amongst the first or second of those who moved in the matter of the transcontinental coach road. But whilst on this subject I will take occasion to do justice to the memory of the gentleman who proposed the Overland Railway through British America. It was during the administration of Sir Robert Peel, in 1844 or 1845, that A. W. Godfrey, a bookseller in Halifax, addressed letters to Sir Robert Peel, about a Railway from Halifax to Vancouver Island. Previously, Whitney had proposed his scheme for a Railroad from Texas to the Pacific. Our worthy old citizen, Mr. Waddington, has been distinguished among those who have taken active measures in favor of the Railway. Till Lord Granville's despatch arrived, none of the railway agitators seemed to have made much headway. At the Conference of Delegates from British North America in London, an Overland Railway was considered and described as "a subject of the highest importance, and one to be promoted at the earliest stage that the finances of the country would admit of." The proposition before us shows how great a stride has been made in this matter since 1867. I have no wish to claim any honour or to detract from that which is due to others, but we must recollect that \$1,000,000 a year is not a Railway across the Rocky Mountains. I have, however, year after year looked upon Railway communication as the only means to settle up the interior of British Columbia. I never could see how British Columbia could be settled up without a Railway to connect Fraser River with Kamloops. I think, Sir, that a different course ought to be pursued by the Government with the Dominion than that proposed. Assuming that the Coach Road may be open in three years, for I am ready to admit that proposition, when people settle the country from Thompson River to Osooyoos Lake the farmers must have the means of transport for their various productions. How are they to get them out? I maintain that the true course for the development of the resources of the country is to make a line of Railway from some navigable spot on the Fraser to Lake Kamloops. I claim for this that it might be regarded as a part of the transcontinental

line, and in my opinion it would do more to build up the country than anything else that could be conceived, and I believe it to be thoroughly practicable. I, therefore, move a recommendation to His Excellency that the construction of a Railway from steamboat navigation on the Fraser River to Kamloops Lake be inserted in the terms, instead of commencing from the initial sections on the Seaboard of British Columbia.

Hon. CHIEF COMMISSIONER—Sir, I approach the consideration of this clause with a great sense of the magnitude of the work which we propose to the Government of that Dominion with which we propose to be confederated. My mind seems somewhat to shrink before the contemplation of its magnitude; and it is only when the reflection is gradually forced upon me, that the union can never be a reality until the Railway is commenced in our own territory, and that it is necessary, that I can bring myself to believe that it should be done. That it is practicable is undeniable and needs no argument. From all information I have been able to obtain, and comparing it with the difficulties which have been overcome on the Pacific line, I believe the proportion of cost of the proposed line of Railway from the Seaboard of British Columbia to Canada to be not more than two-thirds of the cost of the line already built from California across the Sierra Nevada. There will of course be difficulties to overcome, which may influence the choice of the best line of route. I believe we are justified in asking for the construction of the Railway, and I am satisfied, I may say I know, that there is a great desire on the part of those now in power in Canada to construct this Railroad, and if it be in their power to do it, it will be done. To go to the terms: objections have been made to the time of commencement. I would ask the House to consider what an amount of prospecting and survey will have to be done before any commencement can possibly be made in the work. I do not think that there is any delay suggested by fixing the time of three years. I think it is the shortest time that could be named. The proper line could hardly be determined sooner. We do not presume to suggest the scheme, or the means. My opinion is that the Railway will be built by private enterprise, under a guarantee. As the Imperial Government have shown a desire to encourage Confederation, I think we have a right to expect that they will render some assistance in the building of the Railway, especially after Lord Granville's despatch. [Hear, hear.] I hope that the Canadian Government will have the assistance of the Imperial Government in carrying out this scheme. It will be some time before the scheme can be developed, and then at least two seasons must elapse, as an immense amount of reconnoitering and surveying will be necessary. Three years is not too much. The Hon. Member for Victoria District (Mr. DeCosmos) objects to the framing of this Resolution as too catching. I think his objection is unfounded. I believe that the

benefits will be real and substantial. The reason that so small a sum as \$1,000,000 is asked for is that it is only intended to be an earnest, so to speak, on the part of the Dominion Government that the Railway will be made. I believe that the expenditure of \$1,000,000 upon the first twenty miles will bring an accession of from 5,000 to 10,000 to our population. We have a right to ask that the Railway should be commenced here. It is desirable that it should be made here. It will be found that when once it is commenced here a nucleus of population will be formed which will add considerably to the prosperity of the Colony. It has been argued that no profit can arise from the expenditure of the vast amount of capital that will be required to build this Railway. It will cost probably \$20,000,000, and therefore is not likely to be profitable for years to come. We cannot, in my opinion, expect any pecuniary return for years. It behoves the Dominion Government, if they desire the prosperity of this part of the empire, to develop the resources of the estate which we are handing over. If they value it as we do, and as we believe that they do, they will endeavour to realize the advantages at the earliest possible date. This Railway will do so, when it is completed across the Rocky Mountains, and in my opinion not till then we shall have a population. Before concluding, I desire to say that it is intended, although it is not so stated in the terms, to give an assurance to the Dominion Government that any amount of land which they think reasonable will be given. This will be made a part of the scheme for the construction of the Railway if thought desirable.

Hon. MR. HUMPHREYS—Sir, I look upon this clause as most important. I am one of those who believe that there can be no real Confederation without a Railroad. Government has made a mistake in naming the sum of \$1,000,000 to be expended on the Seaboard. There is no necessity to put this in. This would only bring a floating population, which we do not want. I agree with the Hon. Member for Victoria District that the Railway ought to be commenced in the agricultural districts of the Mainland, so as to connect them with the head of navigation on the Fraser.

Hon. CHIEF COMMISSIONER—It does not become us, I think, to dictate in what way the work should be done, or to describe the details of the scheme to Canada. I feel confident that if this plan is really taken up it will be done much more quickly than if only \$1,000,000 a year were spent. I think that several millions a year will be expended, and if so I have little doubt that the Railway from the Seaboard to the agricultural districts will be made in 5 years.

Hon. MR. DECOSMOS—What is the Seaboard? Does it mean Barclay Sound?

Hon. CHIEF COMMISSIONER—That is what we have purposely left open. The line may come down the valley of the Fraser, as in my opinion will be best, or it may come through to Bute Inlet or Bentinck Arm. We

have purposely generalized and left it for those who undertake the work to determine for themselves. It is not desirable for us to cramp this Resolution by defining the locality for the line or terminus.

The Hon. MR. ROBSON—Sir, I conceive that we have now come to the most vital part of the whole scheme. I quite concur in the opinion that no real union can take place without a Railway. Did I believe that the Overland Railway would not be made, I should hesitate very much about Confederation, because I should be apprehensive that the whole scheme would fall to pieces. I think that great haste must be used to build up an English speaking nation, alongside of an other existing English speaking country. To accomplish this end, I think that the Overland Railway is necessary, and must be pushed through to speedy completion, to be an immediate success. In ten years time, without an Overland Railway, I do not believe that we should have any English Territory here at all. The great work must be undertaken with the assistance of both the Canadian and Imperial Governments and pushed through to a speedy success. It is true that a sort of union might exist without a Railway, such as the union between British Columbia and Great Britain. But we propose to establish a union that will endure, and that will render an Overland Railway just as necessary as the veins in the human body are necessary to circulate the blood and keep up life. I believe that \$1,000,000 is a mere nominal sum, as explained by the Hon. Chief Commissioner, a tangible security that the work will be completed. The expenditure of the first Million will be a guarantee that any Company or Government undertaking it will carry it through. Every reflecting mind will see that if any Company spend \$1,000,000 a year, they must spend more, and that it will be their interest to push it through. To say that because we only name a sum of \$1,000,000, that it will be a matter of 100 years is absurd; my reply to this, I cannot call it an argument, is that capitalists could not be found in the world so silly as to spread the construction over one hundred, or fifty, or twenty, or even ten years. I cannot support the amendment of the Hon. Member for Victoria District, we must carefully avoid committing ourselves to the route or terms of building. I think this may be safely left in the hands of the Dominion Government. It is useless to argue that it is of vital importance to them to have the best route. The Railway must pass through the Colony, and benefit the Colony, no matter where the terminus, it must be in British Columbia, and consequently a benefit to the whole Colony. I cannot see that it would be better to begin in the middle. I look upon it as an absolute necessity that the Railway should commence at the seaboard; moving the material is the great expense that has to be contended against, and the advantage of being able to land the



material and lay it down at once on the road, will be incalculable. If the Railway were to be constructed from a given point ten miles from the seaboard, it would probably pay the contractors to build that piece of the line. Unless Hon. Members can show us that the material can be brought to the line by way of the Rocky Mountains, don't let us stultify ourselves by asking them to begin in the middle. It is right that the work should be commenced simultaneously on the Atlantic and Pacific sides. I fancy that, as a matter of policy and economy, any company undertaking the work would so commence, without its being named in the terms, as it would undoubtedly be more economical to carry on the work by sea from the westward in British Columbia, and by land from the East. As for the amount named in the conditions, as I have said, I look upon it as a tangible assurance to the people that the thing will be done, rather than as the specific statement of a sum with the expenditure of which this Colony will be satisfied. I have some doubts about the clause requiring the Dominion Government to make a Coach Road. The age for Coach Roads has almost passed away. Such a road would not meet the requirements of the present day. I would prefer removing this condition, and require the work to be commenced within two years, or seek compensation in some other way as an equivalent for the supposed advantage of the road. The sooner we do our little part towards convincing the Dominion Government that this is necessary, the better. Not only is the Railway a national necessity for the Dominion, but for every fractional part of British North America.

The Hon. MR. HELMCKEN—I reiterate that Confederation means terms. What feeling now exists in favor of Confederation, has been brought about by the assertion that Canada will do certain things for the Colony, amongst others, that she will build a Railway. If the people are deceived in this matter; if Canada does not accede to this portion of the conditions, she need not ask the people of this Colony to be united. I would ask the people to band themselves together to demand that these terms shall be verified, and I hope they will take that stand. And I will ask that the promises made by the Dominion Government will be strictly performed. ["Hear, hear," from Mr. DeCosmos and Mr. Wood.] This Colony would be just as much isolated as ever after a paper union, without a Railway as one of the conditions. I acknowledge that we might have such a union as exists with England now, with a Railway. We are a Colony of England, and I don't know that many people object to being a Colony of England; but I say that very many would object to becoming a Colony of Canada. As a Colony of England we have the right to legislate for ourselves, if we become a Colony of Canada, that power is taken away. ["No, no," from Mr. DeCosmos.]

[Hon. Mr. Robson, it will give us more power.] I say that the power of regulating our own commerce is taken away, and the only power left to us is that of raising taxes for Municipal purposes. That is the difference between being a Colony of Canada, and a Colony of England. The distance is so great between this Colony and Ottawa without any Railway and without any Telegraphic communication, that laws might be passed there, which would ruin British Columbia, without our having any notice of them. I do not consider that Canada expects or intends to attempt to make this Railway a paying institution of itself. There are a great many institutions in this Colony, which are not paying institutions. Canada takes the view that the Railway is necessary to complete the British line of communication between England and her Asiatic possessions, in order that the English people may share in the carrying trade to China and the East Indies, with our American neighbours. Canada expects to influence Great Britain to guarantee the loan for the formation of the Railway. Great Britain may guarantee the loan for the purpose of having a check on the American line of Railway, but she would never guarantee it for Canadian purposes only. The people of England would not tolerate it. I consider this an essential condition. Without it Confederation must not take place. This is one of those things which will be a vast benefit to this Colony and to Canada, and therefore I regard it as a necessary condition. Why should this Colony join Canada except for the benefit of both? We should be better off without Canada if we have no Railway. I say that this Colony had better stand alone than risk everything, without a Railway. What benefit can Canada expect from Confederation with British Columbia without a Railway? Is she afraid of British Columbia being handed over to America? If Canada thinks she can hold British Columbia for her own purposes, and use it when she pleases, and take her own time to do what she likes with it, she is mistaken. The Railway has been made a lever for Confederation, by Canada. I ask that Canada be now made to promise faithfully that a Railway shall be made. With regard to the expenditure of \$1,000,000, there should be a forfeit of ten per cent, payable to this Colony, if it is not spent. I am not so much afraid about the Canadian Government not carrying out the terms, as I am of our own people. I believe that there is more danger from our own people than from the Canadian Government. British Columbia may cheat herself, and it is our duty, man for man, to take care that we don't cheat this Colony, that we don't in fact cheat ourselves. I think that the Coach Road may be useful, it will take some time to build a Railroad, and it will be necessary to have communication. The road might be used for Immigration purposes, and for driving cattle, but will be of no use commercially; such an idea would

have suited people who lived some years ago. Speaking of Commerce in which the Dominion is to take part, I do not myself believe that the Asiatic traffic will come this way; but still we must not lose sight of the idea that it may eventually be partially diverted to this route. These Resolutions do not afford practically any immediate benefit. ["Hear, hear," from Mr. DeCosmos.] If the Colony was united to the Dominion to-morrow, there would be no immediate benefit to result even from the Railway. This is one of the points on which the people may be deceived, if they imagine that with Confederation will come immediate prosperity. I shall be glad if anyone will point out how it is to come. If it were made inland it might be more beneficial to agricultural interests in a short space of time, than if commenced on the sea coast. Public works in this Colony should help to develop the resources, and one thing should be made to work with another, so as to be mutually beneficial, each should be for the benefit of the whole, and the whole for the benefit of each. Suppose a Railway were commenced to-morrow at Fraser River. How much benefit would it be? It might be some, but if these public works were made subservient to the interests of setting up the Colony, they would be more likely to be beneficial.

HON. MR. CARRALL—Sir, I have only a few words to say, and have no intention of detaining the House at this late hour, but I must be allowed to express the satisfaction which I feel in observing a change in the sentiments of the Hon. Member for Victoria City, (Mr. Helmcken) a change which does honour to his head and heart. He has begun to show some faith in the Canadian Government at last. He may be called the pattern of the distrustful party, and I augur favourably from his conversion. With regard to the local advantages of a Railway, I would point to the construction of the Inter-Colonial Railway. Property in Halifax has gone up 40 per cent since it was built. I fully admit the desirability and necessity of a Railway, but I cannot admit that Union cannot exist without it; look at the Union which existed for so many years between California and the Eastern States of America without a Railway. I believe that Canada, for Imperial reasons, intends to undertake the construction of this Railway. As for the length of time allowed for the commencement, I think it could not be well less than three years. I believe with the Hon. Chief Commissioner, that the work will be undertaken by a private company, under guarantee, if so, it would be hampering the Government of the Dominion to make them commence earlier. It might compel them to close with parties, not in all respects eligible. It would put them in a false position. If the Colony had charge of her own Crown lands, there should be a power given to Canada to promise Crown lands, in connection with the construction of the Railway.

I regret that this has not been put in the Resolutions, but no doubt the omission can be remedied hereafter.

On the motion of Hon. Mr. Drake, the Committee rose, reported the passing of clauses 5, 6, and 7, and obtained leave to sit again at one o'clock, the 17th, instant.

Report adopted, and clauses 5, 6, and 7, passed.

### Thursday, 17th March, 1870

HON. MR. DECOSMOS—Mr. Chairman, Judging from the statements made by the Government, this Railway is not likely to be completed in so short a period as I had hoped. The indefinite nature of the clause is unsatisfactory. It contemplates nothing more than the expenditure of \$1,000,000 per annum, which would no doubt be a great boon, and would stimulate various branches of industry, but that is almost all that can be said of it. The way that it has been put to the Colony heretofore, was that the Canadian Government would construct the road. It now turns out from the statements of the Hon. Chief Commissioner of Lands and Works, that in all probability the Canadian Government will get some private company to carry out the work; and he adds "that we may" get a guarantee with grants of land, in aid of the undertaking. Now, Sir, from the first I have always been careful not to bring forward the question of the Railway in connection with Confederation. The London Conference favoured it only when the financial position of the Dominion admitted it. It must be quite a long time before connection by rail with the Canadian Railway system can take place. I never believed the Canadian Government would contract a debt for this purpose at the present. They are already, in my opinion, too deeply in debt and are taxed too high to allow them to do so. According to my calculation, it will cost \$150,000,000 to complete the Railway from this Colony to Montreal.

HON. MR. HOLBROOK—You mean to the head of the water communication of Lake Superior?

HON. MR. DECOSMOS—No! that gets frozen up and cannot be utilised for several months in the year. It must go to Montreal, on the north side of Lakes Superior and Huron. It will cost \$100,000,000 to construct it to Lake Superior from Victoria. Now a 4 per cent guarantee on \$100,000,000 will require Canada to impose additional taxation of \$4,000,000 a year. Then you must remember that the wear and tear of the Railway would not be met by the returns. Besides that, there are the running expenses to be provided for. The United States trans-continental Railway only pays from the way stations in the populous districts through which it passes; we should have none, except a few people at the Red River and in British Columbia. A 4 per cent guarantee



would be adding one third to the annual taxation of the Dominion. Then for the portion of Railway they will have to make from the West end of Lake Superior to Montreal, there would be required \$50,000 more at four per cent. To meet these sums, therefore, there would have to be raised an annual sum of \$6,000,000 by Canada, in other words they would have to add nearly fifty per cent. to the present taxation of Canada. Do you think, Sir, they will ever do this? or that any Finance Minister would dare attempt it in the present state of Canadian finances. I call attention to this view of the subject in order to prevent false impressions getting abroad, and the creation of false hopes which only lead to disappointment. With all due deference to his professional knowledge, I deny the correctness of the estimate of the Chief Commissioner that this Railway will cost only two-thirds of the United States Trans-continental line. This is a more difficult line in my opinion, not an easier one, than the line over the Sierra Nevada. Perhaps part of the year we might get communication, partly by steamboat and partly by Railway, but for several months in the winter the water portion of the route would be closed up. In the temper of this House and the temper of the Government, I do not expect this Resolution of mine to go up to the Government. Now, I want to utilise our money, and to utilise our time. I estimate that a Railway from Fraser River to Kamloops would cost \$50,000 a mile. According to the plan of the Chief Commissioner, with the expenditure of only \$1,000,000 a year, at the end of five years, if we started at Burrard Inlet, we should get to Yale only, for which the water communication at present existing would suffice, and consequently that time would be lost. Possibly, it might be opened to the Rocky Mountains in ten years, if begun at New Westminster as this scheme proposes. It is our duty to open up the interior country—Osoyoos, Okanagan, Kamloops, Similkameen, and other districts. Bring the interior into communication with the Seaboard, that would settle up the best portion of the interior, provide an outlet for produce, and keep the money that is now sent abroad, within our own borders. The Government plan will injure, if not delay, the development of the country. I have no hope that my recommendation will pass, but still I shall have the satisfaction of feeling that I have done my duty.

Hon. MR. HOLBROOK—Sir, I rise to support the recommendation of the Hon. Member for Victoria District (Mr. DeCosmos). I quite agree with that Hon. gentleman that a Railway starting from the head of Steamboat navigation, would be more useful than any other. If we have a Company spending \$1,000,000 a year in building a Railway which will open up the farming districts, we shall be able to raise cereals and compete with our American neighbours, and by commencing at the head of navigation we shall reap the advantage in our lifetime. It will

develop the Mainland. Agricultural land would be turned into profitable use, and the Mining section from Big Bend to Kootenay, which contains I believe, most valuable mines of gold and silver, will be opened up. If the recommendation of the Hon. Member is adopted, we shall find almost immediate benefit from the opening up of the Inland Trade. It will bring us population, and will build up this City and New Westminster, and other towns through the Colony. I do hope it will receive the support of the Executive Council.

Hon. MR. RING—Sir, I thought we were discussing the necessity of a Railway, but I did not come prepared to discuss engineering questions as to route, it is wasting words to discuss the topography. That must be decided by competent surveyors. Our business, as it appears to me, is to insist upon having a through Railway. And it is highly desirable that the construction should be commenced simultaneously at both ends as well as the survey. I shall thoroughly and cordially support the Government upon this clause.

Hon. CHIEF COMMISSIONER—Sir, I thought that I had made the Government views on this clause sufficiently clear yesterday, in supporting the Hon. the Attorney General's motion; if not, my words could not have thoroughly expressed my meaning. The Government have not inserted the construction of a Railway into these resolutions on the principle of local advantages. The Hon. Member for Victoria District (Mr. DeCosmos,) seems to argue that we inserted it in order to secure the advantages which would accrue to special localities from way traffic. But I can assure the House that the Executive Council entertained no such idea in adjusting the details of this great scheme; they have endeavoured to secure the utmost advantages to the whole Colony. You will observe, Sir, that the clause is most general in its terms, and it was purposely made so. It does not attempt to define the line the road should take; it may have a terminus, as I distinctly stated before, at any place on the coast most convenient—at Bentinck Arm, Bute Inlet, or Burrard Inlet, or even by crossing the Fiords between Vancouver Island and the Mainland, it may come to Victoria or Esquimalt. These details must be left to the parties constructing the line. The Executive Council have avoided all through all sectional and local considerations. I stated yesterday, and I repeat it again, that I hoped the Railway would follow down the valley of the Fraser River to the seaboard; but the Government have purposely avoided any definition of any particular line, and have made it as general as possible. I also said that I did not think that the Dominion Government would make the line; and I said so because I am well aware that this is not the way in which great works of this character are generally undertaken in these times. I believe that a private company with the assistance of the Dominion Government, and I hope the Imperial Govern-

ment also, will construct the line. But this is merely surmise. I know no more of my own actual knowledge than other Members round this board. But I come to this conclusion because I know that it is not considered feasible for Governments to undertake such works. It has been found to be a great mistake. Then why discuss the suggestions of the Hon. Member for constructing a Railway from Yale to Kamloops, or try to fix details which the spirit of the whole resolution avoids, when we don't even say the line shall pass Yale or Kamloops at all? It is a vast undertaking, and if undertaken at all, it will not be with a view to profit, but with a view to the future, and as part of the great responsibility of the Canadian Government in contracting alliance with this Country. The strenuous desire of the Canadian Government is to make such a line. I think they are able to do it, and we know for certain that they will do it if they can. I do not agree with the Hon. Member for Victoria City (Dr. Helmcken,) that Confederation means a Railway; the Government do not say that there shall be no Confederation without a Railway.

Hon. DR. HELMCKEN—No that is my opinion, and I do not put it forward as the opinion of the Government.

Hon. CHIEF COMMISSIONER—I am glad to have that set right. The Government believe that the Railway will be made, but they do not make it a *sine qua non*, but if on a calm view of the whole subject in negotiating with Canada, it is found impracticable for Canada to commence to make the Railway at once, then I see alternative terms, which will not only suit Canada but the people of this Colony, who you must remember will have to pass upon them when they come back from Canada. It has been stated the public mind is impressed with the idea that the insertion of so paltry a sum as \$1,000,000, will lead to the postponement of the completion of the Railway for fifty years. I can assure them it is a fallacy. Why, Sir, as well put by the Hon. Member for New Westminster yesterday, common sense shows that it would be against the interest of the parties making the line to prolong the work over a number of years. It can only be carried on quickly to secure any real profit. I again repeat what the Government Members stated yesterday, so distinctly, that the One Million a year is not nearly the sum which will have to be spent; the amount stated is only intended to serve as a guarantee or an earnest that the work will be done. If we had said make it in so many years time, they could not have acceded to it. Certainly in three years time the Dominion Government will be in a position to determine the line. The suggestion of the Hon. Member is, in my opinion, wholly inapplicable to this scheme. If admitted it would entirely remodel the Government clause, which is general. The suggestion is, that the first section should be made at some place on Fraser River. As I said before, we cannot tell whether the Railway will come down the valley of the

Fraser River at all. Those who spend the money have a right to choose their line. As far as my own opinion goes, I should say that the Canadian Government will determine the basis of the scheme on engineering considerations of the port best suited for pouring in supplies, and for the cheapest construction of the road. Do not let us hamper so great a scheme by such minute details; let us leave it for those who have to construct the line to select their own route.

Hon. MR. ROBSON—The Hon. the Chief Commissioner has left very little for me to say upon this clause, but there is one point to which I would direct attention. The Hon. Member for Victoria District has not sufficiently considered, it seems to me, how the material for the construction of the Railway would be most easily moved to the line from the sea coast. If the road is to be commenced at Yale, all the vast material and rolling stock would have to be shipped from the port in small steamers up the Fraser River, to a point at which the line, according to the Hon. Member's scheme, would start. The extra expense would be ruinous, and besides it must be remembered that during a considerable portion of the year the navigation of the river is closed to steamers, and not only is this the case, but these boats cannot take up the engines and cars, but can only carry on the ordinary traffic when the population increases. No, the real, the only proper course will be to commence to lay the track from the ships to where the material will have to be laid. That alone puts out of the question the commencement of any initial section at Yale, or anywhere else than on the seaboard.

Hon. MR. DRAKE—Mr. Chairman, I am glad to hear from Hon. Members that this clause is the pivot of the whole scheme. I hope it will now be well understood that the Railway is the condition in Hon. Members' minds upon which Confederation or no Confederation hangs. I hope that this will be remembered hereafter. This Railway is a gigantic undertaking. I look upon it as nearly impracticable. I believe this Railway will cost more than the whole debt of Canada. ["Hear, hear," from Hons. DeCosmos and Robson.] The Government tells us that this Railway is to be a *sine qua non*. ["No," Dr. Helmcken.] Why my colleague, the Hon. Member for Victoria, who is a Privy Councillor, says no.

Hon. DR. HELMCKEN—The Government does not say so. I say so.

Hon. MR. DRAKE—Well certain Hon. Members say so. Now this is what will happen: Canada will agree to a Railway to get Confederation, and Confederation takes place, Canadian officials rule here and Canadian laws prevail. Three years elapse and Canada may find it inconvenient or impossible to carry out the Railway. I say that we require a guarantee for the making of the Railway. On Confederation how can we enforce this condition. This difficulty underlies the whole scheme. I ask how we are to



get out of it, guard against it, or surmount it? Leave the Confederation? That means rebellion, which is not to be thought of by any law-loving persons. We can't float ourselves out when once in, then we are bound hand and foot from now to eternity. There should be a penalty of \$50,000 for every year in which Canada fails to expend the One Million.

Hon. ATTORNEY GENERAL—How do you propose to secure the \$50,000?

Hon. MR. DRAKE—By Imperial guarantee.

An Hon. Member—How would the guarantee of the President of the United States do? [Laughter.]

Hon. MR. DRAKE—I shall be quite satisfied if the President of the United States indorses the Bill [laughter.] I consider the Railway the primary and essential condition of Confederation and I think that Canada is too poor to guarantee such a work as this. She had to go to the Imperial Government to guarantee the payment of the £300,000 to buy out Canadian interests in the Red River Settlements, and I maintain that we are on the right course to ask for an Imperial guarantee now. When we get into Confederation we cannot help ourselves. If Canada is unable or unwilling to pay the \$1,000,000 a year, as soon as it appears necessary to her to throw over the conditions, over they will be thrown. One Hon. Member tells us that Canadian statesmen are "men of unbounded ambition." Now men of unbounded ambition will not scruple at anything to gain their ends; that is all they look to. Until a guarantee is obtained I shall oppose this Resolution. I don't care whether it is the guarantee of the President of the United States or any other that will do.

Hon. MR. ROBSON—I have listened with profound astonishment to the remarks of the Hon. Member who has just sat down, upon Canada and Canadian statesmen. I shall not condescend to reply to the aspersions. Canada can support herself against all this kind of thing. She is great enough to do so. Such attacks can only come from those who know nothing about those whom they malign. I am a Canadian, and am proud of being one, but in this matter of making terms of union, I shall be as exacting as any reasonable Member of this Council can be. I would have all the conditions well understood, and would have them put in black and white, but I would ask no endorsement from any other source. When this agreement is completed between British Columbia and Canada we shall have the best possible of guarantees. We shall have the guarantee of the Imperial Government, and of Her Majesty the Queen, from first to last. We shall have the endorsement of the Queen's Proclamation, which lies at the root of these conditions. Can we have or desire better security? [Hear, hear, from Mr. Trutch.] Hon. Members say we cannot get out, and that Canada may repudiate. I say nothing of the kind. Canada would never be allowed by the Imperial Government to coerce this

Colony to remain in Confederation for the fulfilment of one side of a contract of partnership, the terms of which Canada herself has trodden underfoot. To entertain such a supposition is, if I may be allowed the expression, an outrage on common sense too absurd to be for a moment seriously entertained. Would the Imperial Government stand by and let Canada send a force of soldiers to compel British Columbia to remain in Confederation under such circumstances. The Canadian Government never broke faith yet, and the Imperial Government never broke faith yet, and both are pledged to the fulfilment of this condition. Canada has hitherto gone in advance of her word. The distrustful views of the Hon. junior Member for Victoria (Mr. Drake) are so manifestly unjust that, as it is impossible that they can arise from ignorance, I may be pardoned for attributing them to wilfulness, to the rabid sense of opposition, and a chronic feeling of distrust. To ask the President of the United States to endorse a scheme which emanates from the Imperial Government I look upon as a monstrous ill-timed joke, against which reason and argument are powerless. I cannot—we cannot—discuss it. Now, to go to the ways and means. Why, Sir, it is well known that Canada is rich. Does the Hon. Member know that Ontario and Quebec have \$4,000,000 lying idle at this moment, carrying low interest. There is plenty of capital in Canada at this moment to build the Pacific Railway. The reason why Canada uses the Imperial guarantee for the £300,000 is this. She can borrow cheaper through the Imperial Government with their guarantee, than without it. Canada frequently borrows money for public works. It pays her to do so. It is simply a beneficial financial operation.

Hon. MR. DRAKE—I rise for the purpose of explaining that I make no reflections upon Canadian statesmen, but I treat this solely as a matter of business, and as in other ordinary business I prefer having an endorsed note to a simple obligation. In the 145th section of the "British North America Act," an Imperial guarantee for a loan of three millions sterling for a Railway is specified. I think we are justified in making a similar request. Mine is a business condition. I am willing to trust Canada, but I say we are entitled to ask for an endorser. The Hon. Member's remarks have not disturbed my position.

Hon. MR. WOOD—I am obliged, Sir, in the few remarks that I intend to offer to treat of all the amendments and suggestions together. To my mind this condition which requires the construction of the Overland Railway is one of the most important of all the terms. A great deal has been said about the incorruptibility of Canadian statesmen. No doubt Canadian statesmen are very like all others. Canada acts through her ministers. Those now in power are, so far as we know, favourable to this scheme. But, without imputing motives, it must be admitted that it is very possible that a Canadian Ministry some three

or four years hence, possibly of the anti-Confederate party, or cold upon the subject of Confederation, when pressed by circumstances, may be disinclined to carry out the terms, and with perfect consistency of political conduct, desire to obtain relief from carrying them out, and their first effort would be to get a vote of the Provincial Legislature to relieve them from the burthen. In the event of Confederation, I should consider this country a Colony of Canada. [Hon. Mr. DeCosmos—"No, an integral part of it."] I say a Canadian Colony, because, as I believe, neither Responsible Government nor full Representative Institutions are to be granted under Confederation; at all events they are not included in these terms. And under such a constitution as we have now, the Canadian Government could easily get a vote of this Legislature to cancel the terms. I repudiate chronic opposition, but I consider it to be my duty to oppose the course that is being taken by some Hon. Members here. I believe there are some Hon. Members of this House who desire Confederation on any or without any terms. ["Name, name," from Hons. Carrall and Robson; "No, no," from Mr. DeCosmos.] The very gentlemen who speak, if I may judge from their votes. [No, no.] If I was in favour of Confederation at all, if I did not think that reaction would follow, if I thought that Lord Granville's argument was sound, I should say "Let us be confederated at once." This brings me to a difference of opinion that exists. Some of us consider the Railway a necessary point in the terms. Many of us, including Lord Granville, consider it essential. The Hon. Chief Commissioner says it is not essential.

HON. CHIEF COMMISSIONER—I never said the Railway was not essential.

HON. MR. WOOD—I understood the Hon. Member to say that Government did not consider it essential. I fear that it is delusive to hope that the Imperial Government would give a guarantee for this Railway. They could only do so on Military grounds; but I am convinced they would never guarantee three thousand miles of an exposed line of Railway within a few miles of the territorial boundary, a thing which courts assault and would be so perilous to maintain. Seeing that it could be cut in two in a hundred places by hostile forces from the United States, it requires little reflection to see that Colonial undertakings are seldom guaranteed now. Canada's interest in the Railway, on the other hand, is purely commercial. For such a Railway to pay, it must pass through populous districts—places like Omaha and the United States' towns. It is monstrous to suppose that England would supply the capital for such a scheme. No capitalists in the world would advance their money for such an undertaking. The matter has been talked threadbare in the public prints. It is out of the question to suppose that there would be any material trade in bulky goods in this way. [Hear, hear, hear, hear.] Canada, finding the thing difficult,

will refuse the terms. ["No, no," from Dr. Carrall.] I say the money will not be spent. I back my knowledge of the world and experience of men and things against the "No, no" of the Hon. Member, and I believe the result will be that the Canadian Government will refuse this item, and in refusing will say "We do the best we can; it is our interest to do the thing, but it is impossible to get the guarantee through Parliament." I believe the Canadian statesmen who have the conduct of this matter will say to our Delegates, or to His Excellency "Don't you think you can do without this Railway; you must take our desire to do it for the deed itself. Bye and bye, perhaps, it can be accomplished, and by no means so effectually as by becoming a part of our Dominion." And so a quiet go by will be given to the Railway, and the terms will come back again shorn of this item. If, as the Hon. Chief Commissioner says, these terms are to come before the people—mind I say the people alone,—I believe there is a feeling that Confederation is a movement which promises something, and this feeling will lead to these terms being passed. So weak are commercial and agricultural interests in this Colony at the present time, so small is the population, and the mass of the people are doing so badly, and are so dissatisfied that, in my opinion, they will vote for anything that will give change and a chance of bettering themselves. I intend, Sir, to move an amendment, with the view of making this Railway a test question:—"That without a substantial guarantee for an Overland Railway, Confederation should be rejected by the Delegates from this Colony." It is obvious that this motion will be defeated, but I am desirous to test the opinions of the representative members of this Council on so material a point as this. The Hon. Chief Commissioner says: that these terms are to be decided, eventually, by the representative members alone, of course without the official vote. And where I may ask, are the official members, in the event of its ultimate discussion, to retire from the Council, and leave the question to the Representative members alone? If we are fit for Representative Institutions, why not give them to us now? Having promised the Colony terms, I think the Executive are bound to present terms which are good, in the sense of being productive of permanent good and quiet enjoyment. I cannot forbear to say that in place of terms simply providing for pecuniary benefit, I should have preferred to have seen inserted Constitutional powers, and power of self-government. ["Hear, hear," from Hons. DeCosmos, Robson, and Humphreys.] I should have desired to embody these in the conditions; and, in particular, I should have desired to retain full power over the Tariff.

HON. DR. HELMCKEN—The Tariff is left an open question.

HON. MR. WOOD—Give us reasonable powers of self-government, and I will accept Confederation to-morrow. If we cannot settle our local matters, there will be trouble.



If the Tariff is left an open question, it is at least one step in the right direction.

Hon. MR. HELMCKEN—It is an open question on agricultural matters.

Hon. MR. CARRALL—I shall not attempt to answer the discursive remarks of the Hon. Mr. Wood, it would require an *ignis fatuus* to do so, for he is here, there, and everywhere in no time, but I cannot suffer some of his remarks to pass unnoticed. I have sat in this Council for two Sessions, and have endeavoured to conduct myself with propriety, but I find certain Hon. gentlemen in this Council who, by innuendo and implication, directly and indirectly, have endeavoured to cast slurs upon Canada, and to slander and belittle the Statesmen of that country, which I am proud to call my own. I have, hitherto, refrained from answering, because I thought my country occupied too high a place in the roll of England's Colonies to be affected by such conduct. The position of Canada is so great, beyond cavil and dispute, as not to require any defender in this Council. Such remarks only recoil upon those who make them; the versatility of spleen displayed by the Hon. gentleman who has just sat down, only shows the bitterness of the mind that conceived the remarks. The question now before us is as to Clause 8, and upon the discussion of this clause another question has arisen, or rather has been dragged in, namely, that of the ability of Canada to fulfil the conditions of this particular clause, and it is said that this is to be made a test question. With regard to the idea of any future Canadian Ministry repudiating this condition, I wish, Mr. Chairman, to refer you to English history, and to ask whether you have ever known an instance of an incoming Ministry, whether Whig, Radical, or Tory, repudiating the plighted troth of their predecessors in office. Such a thing is never done to my knowledge, and so far as my experience of history goes, never has been done. ["Hear, hear, from Hon. Attorney General."] I have yet to learn an instance where a loan guaranteed, or anything else undertaken by any Government, has been repudiated by an incoming Ministry. We might just as well suppose that the guarantee for the loan for the Intercolonial Railway might be withdrawn by Gladstone, because it was given by the late Ministry, as that any future party in Canada might entertain the idea of going back from the promises of the present Government. History forbids such an idea. The Hon. and learned Member for Victoria (Mr. Drake) says he wants a guarantee. Well let him want it. I am perfectly willing that he should want it. For my part, I look upon the Queen's proclamation as the guarantee which will make the whole thing inviolable. I point to the fact, that every compact entered into with the Maritime Provinces is being fulfilled. Can anyone point to any act of repudiation? No, Sir, Canada has gone beyond her promises. I repudiate, on behalf of myself and others, the assertion that any member of the confederate party has stated

that he would accept Confederation without conditions. I never heard the Hon. Member for Victoria District, or the Hon. Member for New Westminster, who have taken a prominent part in this great question, make any such statement. I have the honour of being one of the Executive Council who framed these Resolutions, and I believe the terms will be acceptable to a large majority of the people. Those who say that there can be no Union without a Railway, speak a fallacy. Railways follow. Look at San Francisco and the Eastern States of America. Look at Scotland and England. I am well aware that British Columbia wants a Railway, and I know that Canada wants it. I am sanguine enough to believe that it will be made. I am assured that the money is ready, if the desired guarantees can be obtained. The Hon. Mr. Wood, in his discursive remarks, flew around like a hummingbird buzzing round a rose, and amongst other things touched on the assailability of the Railroad. I say that the American people have Railways of their own, and we do not intend to have from henceforth daily warfare. With regard to the course of the Railway, the Hon. Chief Commissioner has told you that the advantages of the line are greater than those of the existing Pacific line. It is well known that the American Pacific Railway, after passing Omaha, passes through a wild and most difficult country, through miles of wilds and sage brush. ["No, no," from Mr. DeCosmos.] The North-West Territory is more fertile than any portion of the route of the American Pacific Railway. The Hon. Mr. Wood says he will make this a test question. I say the whole terms are a test question, and no one part of them more than another. The Canadian Government are to be asked what they will do, and the final test will be for the decision of British subjects of this Colony. No one thing is a test more than another. The people have the sole right to say whether they are willing to take the terms as finally offered, or not. I have already spoken twice with regard to Representative Institutions, which the Hon. Mr. Wood regrets are not made a condition. Either I must fail to put my ideas clearly, or Hon. Members misunderstand me. I have said over and over again, that the people must decide this question. His Excellency says that if the newly constituted Council asks for Responsible Government, under the Organic Act, they will get it. What need is there to drag in the question into these Resolutions? The Hon. Mr. Wood cannot, dare not, say that the majority of the British subjects in British Columbia are in favour of Responsible Government. I may be found in the minority upon this question when it comes before the people, but I speak from conviction; and, moreover, I say that when once we are in the Dominion, if the people desire Responsible Government, no power on earth can prevent them from having it.

Hon. MR. ROBSON—I heartily concur with the Hon. Mr. Wood, in his views of Responsible Government.

Hon. MR. WOOD—I never said I was in favour of Responsible Government. I say that the Governor asks for the ratification of the people, and at the same time denies that we are fit for self-government. I have never pledged myself to Responsible Government. [Oh! oh! oh!]

Hon. MR. ROBSON—I must oppose the amendment of the Hon. and learned member; first, because it raises invidious distinctions, and might lead to the inference that we were indifferent to the other portion of the terms; secondly, because it asks this House to do what it cannot, and even if it had the power, ought not to do. This Council is not the proper body to dictate final terms. This Council is only a quasi representative body, and does not fairly represent the people. With a House, constituted as this is, containing some Members who professedly only represent their own individual opinions, it would, in my opinion, be an insult to the people to make any condition a test of union, in the sense proposed. Suppose Canada sends back the terms without the Railway, it is for the people to accept or reject them; that is a right belonging to the people who have not yet been consulted. The Hon. Mr. Wood has said that there are Hon. Members in this House who would go in for Confederation on any terms. I, for one, have never done so; nothing is more foreign to my desires. [Hear, hear, from the Attorney General.] Though I am a Canadian, and am proud of my country, I am also a British Columbian, and upon this question, my first and last thought has been, is, and will be for British Columbia. ["Hear, hear," from the Attorney General.]

Hon. MR. ALSTON—As a test question, I must say I cannot vote for this amendment. If I am in this Council when the final votes upon Confederation are to be taken, I shall be prepared to vote against Confederation, unless a Railway is included in the terms, unless, that is to say, my sentiments undergo some change which I do not foresee. I do not see how, if this were made a test question, the Government could carry out their instructions, first to submit the resolutions to Canada, and then to submit the Canadian terms to the people. This is not the time to submit a test question, neither can we arrogate to ourselves the power to do so, it must be left to the popular vote; therefore, although I fully concur in the sentiment that we must have a Railway some time or other, I must vote against this amendment.

Hon. MR. HELMCKEN—Mr. Chairman, the sooner we get back to business the better. The discussion has become too wide. Some Hon. Members seem to think that Canada can't do it, that too much money is required. What is the fact? We merely ask the Canadian Government to spend one Million a year. What is the interest on that sum, at 4 per cent? \$40,000, and the next year \$80,000. I don't know how long it will take to get to the Rocky Mountains. We want the Railway for our own purposes. ["Hear, hear, hear," from Hons. DeCosmos, Hol-

brook, and others.] We shall derive benefit from the expenditure of a million dollars a year in the Colony, and be getting a Railway at the same time. Every one seems to think that the Railway will unite the country, so it will; but it is not simply a Railway or a Telegraph that will unite Canada and British Columbia. The only true basis of Union, is that people should have the same interests, the same feelings, and the same desire to make this a prosperous country. If Canada gives us terms sufficiently good to show that it is her intention to do all she can to develop our resources and advance our interests, then she will gain the affections of the people of this Colony, and then there will be an Union, which no Railway can give, a material Union which nothing can disturb, and we shall find hereafter that Kingdoms and Nations will spring out of this Union. We are told by the Hon. Mr. Wood, that the Officials must vote for these terms, as they have been settled by the Governor. This is not so, for before any terms can be concluded, some one must go to Canada from here, or come from Canada to this place, to arrange conditions. I believe in what His Excellency has said. I place more reliance on him than on any one else. I believe he will act fairly and justly in this matter, nor do I think there is so much to fear from Canada as there is from the danger of the people of this Colony cheating themselves; you can make the people believe anything. I do not agree that the country is in such a depressed condition; I know that Victoria, the chief city, is in rather a depressed condition, and perhaps New Westminster, also, but outside it is otherwise.

Hon. MR. WOOD—Is the gold mining interest prosperous?

Hon. MR. HELMCKEN—The Hon. Member asks if the gold mining interest is prosperous. I say that this Colony has no business to depend upon its gold mining interests.

Hon. MR. WOOD—What else has she got?

Hon. MR. HELMCKEN—She has agricultural interests, coal, lumber, and fisheries. What do you send away half a Million of dollars for each year? We want a more industrious population, a productive population. But to return to the Railway, the sooner we get through this Railway the better, it opens up so many avenues for discussion. I think it is the most essential part of this document. It is essential to Canada; through it she hopes to make a country of this Colony, and it is essential to us, as bringing us prosperity. I believe the Canadian Government will make the Railway in the interior. We are told that they have Four Millions lying idle; they cannot have a better investment for it than to build a Railroad from Fraser River to Kamloops.

Hon. MR. DeCOSMOS—I remark, Mr. Chairman, that there is a considerable contrast between the views of two Hon. Members of the Executive Council. I mean the



Hon. Chief Commissioner (Mr. Trutch,) and the Hon. Member for Victoria City (Dr. Helmcken.) The former says that it is not proposed to construct a Railway with reference to local interests. He says to advocate our own local interests is simply inapposite. I think differently. I think that we should deal with it locally as well as nationally. I presume it is put in the terms because it is expected that it will benefit the Colony. We don't care so much for its benefiting the people of Montreal as for benefiting ourselves; we look at it from a British Columbian point of view. I say with the Hon. Member for Victoria City (Dr. Helmcken,) that we should deal with it with reference to British Columbian interests. After the discussion of yesterday, I confess my surprise. I thought from the tenor of the Resolutions that the Canadian Government would construct the line. Now, we are informed by the Hon. Chief Commissioner that it will be undertaken by a private company. Then, he says if we cannot get a Railway we must have an equivalent. If this clause is not a fixed principle in the terms, then I ask what do the Government propose as an equivalent? With regard to Railway communication through British Columbia, we ought, in my opinion, to connect Kamloops and the adjacent country with the Seaboard. That is commencing at navigable water on Fraser River and ending at Savona's Ferry, Kamloops Lake. This line, at the utmost, is only 150 miles long. The expense of its construction, at \$50,000 per mile, would be \$7,500,000. We might safely approach the Canadian Government upon this, irrespective of the terms of union, but under the constitutional provision authorizing the Dominion Government to construct public works of this character.

HON. CHIEF COMMISSIONER—I say again that the scheme of this Railway, on which this clause is based, hangs on the construction of the line from the Seaboard. I never said, and never intended to say, that we had no right to take into consideration whether or not local interests would be benefited. I say that I would not dare to stand up here and advocate a special link of a special line. I should think if I did so that I was doing what the Canadian Government could not listen to. But in a great scheme which contemplates a line of Railway from the Seaboard of British Columbia to Canada, I consider that the Dominion Government may take a broad view and strain a point to get it. This clause has been drawn without pretending to define the route. I did not say that it was proposed that the line should be built by a private company. I said that it suggested itself to my mind that the line would be built by a private company, not that it was so proposed. I do not disregard local interests. I look upon this Railway as a necessity of the position—a means to the end. I do not advocate it on its merits as to local interests, but as a grand scheme of Transcontinental Railway. Why, Sir, some say that the terminus should be brought to

Esquimalt or Nanaimo. A Railway is wanted in the interests of the Confederacy, but the locality has been generalized as much as possible by the Government. This brings me to another point: though I look upon the Railway as a necessity of the position, in view of the approach of Confederation, I would not pledge myself to bind the Dominion Government to the special terms of this clause. I think it is possible that terms may be suggested, instead of this condition, which may be found to be acceptable to the people of this Colony, to whom, as you know, His Excellency says the matter must be referred. I do not look upon the Railway as unessential. I say it is essential, for without unity of interests Confederation cannot endure. If I did not think that under Confederation we should be governed satisfactorily and to our advantage, I would oppose Confederation, and I would advise its abandonment. I do not say, and I am not going to bind myself, that unless that clause is granted by Canada, I shall not vote for Confederation, although I think it essential to the position.

HON. MR. WALKER—Mr. Chairman, having been unfortunately absent during the early part of this debate, I have not been able, hitherto, to take part in it. I adopt the principle laid down by the Hon. Chief Commissioner with regard to this clause, but I think the clause is not general enough. It is true, that it is sufficiently general as to a part, but not as to the whole. Enough has been said about the spending of \$1,000,000, to show what it means. I would leave out the one million. It would be enough, in my opinion, to say that it shall be constructed within a reasonable time. This would mean not an indefinite, but a reasonable time; it would be so interpreted by the Law Courts. I would leave out the definition of time, and I would leave out the one million. I think it will do us injury with Canadian Statesmen; they will say that this is the measure of our desire to be confederated. There is another point to which I would call attention. The language of the clause does not, in my opinion, imply that one million must necessarily be expended within the Colony. I conclude, after hearing the explanations of Hon. Members, that it is intended that the one million shall be spent here, but in my opinion it might, under these words, be expended on any part of the line. I thought that was the intention; it was so thought in San Francisco. There were newspaper articles upon it, and the idea of a million a year being spent upon the Railway for a hundred years was laughed at on all sides. I would suggest an alteration in the words. I am ready to leave the construction of the English to any Schoolmaster. I say that they do not mean "in the Colony." With regard to the remarks of the Hon. Member for Victoria District, I would remark that this is not really a final contract; and I agree with the Hon. Chief Commissioner that the clause ought to be general. The Canadian statesmen, with whom we are about to deal, are

not mere tyros; and I say that the mention of this one million leaves it open to Canada to keep the time open. If they expend that sum upon any portion of the line, they will be able to prolong any building of the road as long as they please. And, although it may be said that Canada will take care of us, I say we ought to take care of ourselves. Let us get as good terms as possible, not trusting to the Canadians, but looking after our own interests. We should, in my opinion, abstain from all mention of one million dollars, or any other sum, otherwise the Canadian Government may say that on payment or expenditure of that sum they will have completed their bargain.

Hon ATTORNEY GENERAL—I rise, Sir, to defend my English. This clause was settled after much consideration, in the first place emanating from the Hon. Chief Commissioner of Lands and Works. I conceive that the words “and that a sum of not less than \$1,000,000 shall be expended in every year, from and after three years from the date of Union, in actually constructing the initial sections of such Railway from the Seaboard of British Columbia, to connect with the Railway system of Canada” fully convey the meaning that it was intended they should. The language means that the expenditure should be within this Colony, and it can mean nothing else. The Schoolmaster cannot have been where the Hon. Member has just visited, or he would not have so misconstrued this clause. I may confirm what the Hon. Chief Commissioner says, that if in communication with the Canadian Government it is found that they will not consent to the Railway, it is thought that we may obtain some equivalent. I must vote against the amendment of the Hon. Member for Victoria District (Mr. DeCosmos) as it proposes to enter into details affecting particular localities. I regret that the Hon. Member, who usually takes such large and extended views, should in this instance have taken so small and sectional a view of so large a scheme. The whole country will be just as much benefited by the Railway as any one part of it. The Hon. and learned Member for Victoria City proposes a guarantee and a penalty, but he has not shown how we could enforce the penalty if we cannot compel the fulfilment of the terms. I think that the self-interests of Canada will be so identified with those of British Columbia that we shall require no further guarantee. If more is required, as the Hon. Member for New Westminster says, we have the assurance of the Imperial Government—the Queen’s proclamation. I cannot say that I think that the Canadian interests are purely commercial. I have lived in Canada for several years, and while there did not regret to see the country divided against itself. Now, there is a national feeling growing up in that promising young country; her inhabitants are becoming more British in their feeling. I believe that Canada will, as she has heretofore done, carry out the terms that she makes in honour and good faith. It will

be to her interest to do so; it will be to her interest to satisfy the interests of British Columbia.

Hon MR. HUMPHREYS—The question of the Railway should be put in a practical form. The people want a Railway from the head of navigation into the interior. Unless we get immediate benefit, I hold we had better have no Railway at all [laughter]. The Resolution of my Hon. colleague (Mr. DeCosmos) will give us immediate prosperity. Unless we get immediate advantage it very little use at all.

Hon. MR. DECOSMOS—There is one word in the Hon. Attorney General’s speech that I desire to reply to. He said that my recommendation goes too much into matters of detail. I find as much detail in the Organic Act with reference to Railway communication to Halifax.

Hon. MR. ROBSON—I have a recommendation to move bearing on the Coach Road, as follows:—

That a respectful address be presented to His Excellency recommending that clause 8 may be so altered as to include the section of the main trunk road of the Colony lying between Yale and New Westminster in the Coach Road which the Dominion Government is to be asked to construct within three years from the date of union.

I think, Sir, that it is obvious that if Canada is to be asked to construct a grand trunk road it is equally important that she should add a connecting link which is wanting.

Hon. MR. HOLBROOK—If we can get the Dominion Government to make this communicating link it will be a benefit to the whole Mainland.

Hon DR. CARRALL—I shall support the recommendation of the Hon. Member for New Westminster.

Hon. ATTORNEY GENERAL—This recommendation is open to the same objections as the proposal of the Hon. Member for Victoria District. I must oppose it on principle.

Hon CHIEF COMMISSIONER—It was intended to add the words “and maintain” after “construct and open for traffic.” The words have inadvertently been omitted. I propose to remedy the mistake, and I therefore move a respectful address to His Excellency suggesting that the words “and maintain” be added between the words “such” and “traffic,” in the fourth line.

The Chairman put the recommendations of the Hon. Mr. Robson, which was carried; then the recommendation of the Hon. Chief Commissioner, which was carried.

The recommendations of the Hon. Mr. Wood and of the Hon. Mr. DeCosmos, were put and lost.

Clause 8 was then passed as read.

Clause 9 was next read by the Chairman:—

9. The Dominion shall erect and maintain, at Victoria, a Marine



Hospital, and a Lunatic Asylum, either attached to the Hospital, or separate, as may be considered most convenient.

The Dominion shall also erect and maintain a Penitentiary, or other principal Prison, at such place in the Colony as she may consider most suitable for that purpose.

The Hon. Attorney General moved the adoption of this clause.

The Hon. MR. ROBSON said:—Sir, upon this clause I have to move a recommendation that the Penitentiary shall be at New Westminster. I think that it will be admitted, on all hands, that the Penitentiary ought to be at New Westminster. Victoria and Esquimalt are named as sites for particular things, and why not New Westminster?

Hon. MR. HOLBROOK—I second the recommendation of the Hon. Member for New Westminster. I think the Mainland ought to be considered; it is, of course, a matter of some consequence.

Hon. MR. HUMPHREYS—As a member from the Mainland, I shall oppose the recommendation. I am in favour of centralizing buildings.

Hon. DR. HELMCKEN—Hon. Members seems to lose sight of the words: "or principal Prison." This does not mean exactly a Penitentiary, or other principal Prison for reforming criminals, the existing Prisons are too small for the purpose, and this really means a Prison for the detention of prisoners.

Hon. MR. DECOSMOS—The Dominion Government are bound, under the Organic Act, to provide a Penitentiary. This, I suppose, means more than the Organic Act contemplates, it means a Prison.

Hon. DR. HELMCKEN—Yes, that is the meaning, it means more than the Organic Act contemplates.

Hon. MR. WOOD—I think the Penitentiary ought to be in the best and most central place, wherever the Prison can be best maintained. I would leave it to the Dominion Government to decide the place.

Hon. MR. HOLBROOK—Why should not Victoria be struck out of this clause altogether?

Hon. MR. ROBSON—I did not suggest New Westminster in any local or sectional spirit. I rather did it to divest the clause of local and sectional spirit, though, at present, population and other things point to Victoria as the proper place for a Marine Hospital and Lunatic Asylum; but we must look to the future, the population must ultimately be largest on the Mainland. [Hon. Mr. Ring—"No, no."] Surely the Hon. Member for Nanaimo will not assert that the population of the Island will, in time to come, exceed that of the Mainland. I have no desire to give any sectional complexion to the Resolutions.

Hon. CHIEF COMMISSIONER—Sir, I desire to say that, in my opinion, the Penitentiary will ultimately be on the Mainland, perhaps at New Westminster or Burrard Inlet, where it is probable the Railway will come. I can easily believe that the Hon. Member for New Westminster does not advocate New Westminster from local motives, but I must defend the Resolution as it stands. I think it better to leave it to the people who find the money to select the place. The position is not the same as regards the Marine Hospital. It should be at Victoria or Esquimalt, or at some intermediate place, on account of this being the head quarters of the Navy, just as I think Esquimalt is the proper place for the Dock. I believe that New Westminster will be the place, but I cannot, on principle, vote for the recommendation.

The Chairman put the recommendation of the Hon. Mr. Robson to the Committee.—Lost.

Clause 9 was then passed as read.

The Hon. ATTORNEY GENERAL—I move the adoption of Clause 10, which reads thus:—

10. Efficient Coast Mail Steam Service, in connection with the Post Office, shall be established and maintained by the Government of the Dominion, between Victoria and New Westminster, Nanaimo, and such other places as may require such Services.

Until we have roads within the Colony, these services must be carried on for some time to come by water. I consider it to be a very proper item.

Hon. MR. DECOSMOS—I suggest the addition of Puget Sound.

Hon. ATTORNEY GENERAL—I object to such an addition, because Puget Sound does not come within Coast Mail Service.

Hon. MR. HOLBROOK—Then are we to suppose there are to be no other Ports of Entry, other than Victoria? ["No, no, no," from all sides.]

The Chairman put the recommendation of the Hon. Mr. DeCosmos, which was lost.

Clause 10 was then passed as read.

The Hon. ATTORNEY GENERAL—I move the adoption of Clause 11, which is a general proposition, which will, I hope, meet with the approbation of the House, it is as follows:—

11. Whatever encouragement, advantages, and protection are afforded by the Dominion Government to the Fisheries of any of its Provinces, shall be extended in similar proportion to British Columbia, according to its requirements for the time being.

Clause 11 was passed as read.

The Hon. ATTORNEY GENERAL—I move the adoption of Clause 12, which reads thus:—

12. British Columbia shall participate, in fair proportion, in any measures which may be adopted

and Funds which may be appropriated by the Dominion for the encouragement of Immigration.

Passed as read.

Hon. ATTORNEY GENERAL—I now move the adoption of clause 13. The working of this clause is familiar to this council from the debate which has already taken place. The basis is the population of 120,000 up to the date which is left blank. The clause is this:—

13. British Columbia shall be entitled to be represented in the Senate by Four Members, and by Eight Members in the House of Commons, until the Year 18 , and thereafter the Representation in the Senate and the House of Commons shall be increased, subject to the provisions of "The British North America Act, 1867."

Hon. MR. DRAKE—Mr. Chairman, there seems to be a difficulty. The Organic Act, Section 51, provides for the readjustment of the representation after the census of 1871; and that the representation shall be based on the proportion of 65—the number that Quebec now has—to the population of Quebec. It ought to exist at this number until 1881, or 1891.

Hon. ATTORNEY GENERAL—I would remark that in my opinion Clause 51 does not apply; we come in under Clause 146. The Hon. Members now representing Victoria City and District (Messrs. Helmcken and DeCosmos) when they proposed to telegraph were a little late. However if we now fix the date, for which a blank is purposely left, that will settle the matter beyond any doubt.

Hon. CHIEF COMMISSIONER—In my opinion, Sir, we are better off than if we were included. The only thing we have to do is to fix a date. If we put the date back to a remote period, we might be doing ourselves an injustice; for we might be entitled to more. I would put it off for 20 years, filling up the date by inserting 1891.

Hon. MR. HOLBROOK—I think ten years quite enough, we shall have more than 120,000 in that time, and be entitled to increased representation.

Hon. MR. DECOSMOS—Mr. Chairman, during the previous debate, an Hon. Member referred to 120,000 as the basis of representation, as well as the basis of population. We find this echoed by others, last but not least by the Hon. the Attorney General himself. I am surprised to find the Hon. and learned gentleman setting this up as a basis. For the basis of representation under the Organic Act, was the basis of representation allowed to Quebec, that is, one member for every 20,000. It is proposed that we shall have eight members, then the population ought to be 160,000, but it is only set up as 120,000, which number would only entitle us to six members. Now, Sir, I have no objection to getting eight members for the House of Commons, and four for the Senate; but I do object to Hon. Members and News-

papers spreading abroad statements which have no foundation in fact. I think our population has been over estimated. It is going abroad that 120,000 is the proper foundation for representation, I say it is not so. The honest straightforward and manly course is for our Government to say to the Dominion Government, that it is necessary for us to have a larger representation on territorial grounds. The whole thing resolves itself into expediency; beyond expediency I say that no one can find a fulcrum for the assertion. I would cheerfully support twelve and six so far as it goes. But I do denounce that want of principle and want of truth that surrounds this basis. There is another question about the representation to which due attention does not seem to have been given, it is this; the electoral qualification in Canada is too high, and it will be most objectionable to have the same qualification thrust upon us. The qualification of members may safely be left to the Dominion Government. But that of electors is too high, and will be a source of irritation, which the Government should endeavour to remove now. I should have moved a recommendation as to this, but from the treatment which my amendments have received in this House, I am inclined to let it pass; and I shall move my amendments before my constituencies.

On motion of the Hon. Mr. Dewdney, the Committee rose, reported progress, and asked leave to sit again.

Several Members having left the House, on motion of the Hon. Mr. Robson, the Committee sat again.

Hon. DR. HELMCKEN—Mr. Chairman, I find the average of representation in the Dominion Parliament is one member to 15,000. That on the basis of 120,000 gives eight members. Nova Scotia has 19 members for 39,000, New Brunswick has 12, Newfoundland has 8 members. All we have to do is take care that we are not included in the census of 1871. Our number cannot be diminished, so we may put it at 81 safely. As for fictitious numbers it is useless to talk about it.

Hon. DR. CARRALL—I move that the date "1881" be inserted.

Hon. CHIEF COMMISSIONER—I do not see that of necessity the number cannot be decreased. I would name a more distant date.

Hon. MR. ROBSON—I would not take a more distant date, because I think we shall have a larger population in 1881.

Hon. MR. DRAKE—From Section 61 of the Organic Act, I think our number might be reduced. I think it improbable we shall have a population of 120,000 in 1881. And if we have not that number then, I think it possible that we may be reduced. I shall therefore vote for 1891.

Hon. ATTORNEY GENERAL—I shall support the date 1891.

Hon. MR. WOOD—I move a recommendation to insert the words "not less than," before "4 and 8," and after the word "eighteen" to insert "91."



Hon. ATTORNEY GENERAL—I cannot see the use or necessity for the words “no less.”

Hon. MR. ROBSON—I think the words are important. We might in 1881 be entitled to more or less.

Hon. MR. DRAKE—I hold to 91, because I think it likely we might be reduced if we fix the date at 81.

Hon. MR. DeCOSMOS—I think we ought to fix a minimum number and keep to it, and a date, because I think that when the distrust wears away, British Columbia may be content with three in the Senate, and six in the House of Commons.

The Chairman put the recommendation of the Hon. Mr. Drake, to fill up the blank with the figures “91.” Carried.

The Chairman put the recommendation of the Hon. Mr. Wood, “That the number of members to the Commons should never be less than 8, and to the Senate never less than 4.” Carried.

Clause 13 was then passed as read.

The Committee rose, and reported progress, and obtained leave to sit again on Friday at 1 o'clock.

### Friday, March 18th, 1870.

The Hon. ATTORNEY GENERAL—I rise to move the adoption of clause 14. These terms, or rather the terms which come back from Canada, will of necessity come before the new electoral body, whose existence His Excellency has shadowed forth, and the particulars as to the division into districts must be left for the decision of that House. It is impossible at present to specify the time.

Hon. MR. DeCOSMOS—Cannot an approximate time be named; besides there are other things upon which the country will want information. Such for instance, as whether the voting for members will be by ballot, and what is to be the qualification of voters. I think it ought to be fixed. The Dominion law is more illiberal than that to which the people of this country have been accustomed. I believe in the ballot, but it will be better to leave it to the constituencies.

Hon. CHIEF COMMISSIONER—This clause has been left general, that it may be settled by the newly constituted Council.

Hon. DR. HELMCKEN—If there is a qualification for the House of Commons it must be general for the whole Dominion. At present I believe the qualification is that existing in the Provinces before Union, ultimately there must be qualification for the whole Dominion.

Hon. DR. CARRALL—There is no general law for qualification.

Hon. MR. HUMPHREYS—The clause is indefinite and dangerous. The Dominion qualification will virtually disfranchise half the British settlers in British Columbia. We are legislating in the interests of the people, this ought to be determined at once.

Hon. MR. DeCOSMOS—I believe in British subjects, having a fixed residence, and of a certain age, voting in British Columbia. It should be a residential manhood suffrage.

Hon. DR. HELMCKEN—We cannot deal with the subject now. It is impossible to divide the colony into districts until we know how many senators we are to have.

Hon. MR. HOLBROOK—Mr. Chairman, I move a recommendation to strike out the words “if any.”

Hon. MR. WOOD—I think the words ought to stand. The Organic Act says that senators shall be elected for districts, but it may be desirable that senators should be appointed for the whole colony, they are nominated, and nominated because they are the best men that the Governor can obtain. [No, no, no—Hon. De Cosmos.] I believe the Executive are in the best position to know whether the principle of appointing senators is best or whether they should go for the whole colony.

Hon. MR. HUMPHREYS—As this stands it throws the whole power into the hands of the Canadians. The Lieut.-Governor will be a Canadian and will name Canadians. We ought to know by whom these appointments are to be made.

Hon. MR. ROBSON—It is a great pity that these sectional differences should be allowed to prevail. We ought to consider ourselves British Columbians. The Governor General, with the consent of his Council, appoints the Lieut.-Governor, and the Lieut.-Governor, with the advice of his Cabinet, recommends the Senators. [No, no, Hon. Dr. Helmcken.] Yes, it is so; he recommends to the Governor General who appoints. It is a great pity to raise these disputes about Englishmen and Canadians.

Hon. MR. HUMPHREYS—It is all very well to talk that way. I maintain that the Englishmen sitting at this table have said less as to nationality than the Canadians. We want to be governed by British Columbians.

Hon. DR. HELMCKEN—We had better drop these nationalities.

Hon. MR. WOOD—The hon. member for New Westminster should not be angry because we want to provide against the possibility of ill feeling by timely precaution. ‘Safe bind, safe find.’ When the Governor General appoints Senators, if I understand it right, he appoints the political friends of his Cabinet. If we are to have responsible government there will always be some check, if not we may be in the position of having members selected by the Lieut.-Governor without the assistance of any responsible Cabinet. [Hear, hear, Hon. DeCosmos.] A Canadian Lieut.-Governor will act with the same sort of feeling that the English Government will. Senators will be selected by favoritism, and supporters of Confederation will doubtless be selected in this colony unless we have responsible government and representative institutions in full vigor.

Canadian interests will doubtless be very prominent in this colony, and power acts injuriously on the human mind—it is one of the corrupters of the mind.

Hon. ATTORNEY GENERAL—I should be sorry to see the words 'if any' struck out; their retention leaves the matter open. Hon. members seem to have forgotten that Senators must be residents of British Columbia. Probably they may be elected on the ground of their having an appreciation of the whole country instead of a section only. It may be that Senators will be appointed for the whole colony.

Hon. MR. HOLBROOK—After hearing the explanations of the Hon. Attorney General, I feel more desirous to press my recommendation, to show that we from the Mainland desire to have our fair share of representation. I think the words most objectionable.

Hon. MR. DECOSMOS—I find by the resolutions passed at the conference of delegates in London, that Senators were to be taken from the Legislative Council. We are told by the Government that we are to go into Confederation without responsible government, then we ought to have a guarantee that the first Senators shall be representative men, and that they shall not be chosen by the Governor, and put into office for life without reference to the people.

Hon. MR. HUMPHREYS—I shall move a recommendation that the first Senators shall be nominated by the Legislature.

Hon. DR. HELMCKEN—The position will be worth \$600. The difficulty will be to get anyone to go there. People are chary of going into the Legislative Council now, and they will not be very anxious to go to Canada. As to choosing Senators from one place it is out of the question. And it is equally out of the question to appoint them by the Legislative Council.

Hon. MR. HUMPHREYS—We are here as the agents of the people, delegates in point of fact, and we are bound to legislate in accordance with the well understood wishes of the people. In reference to having these Senators appointed, we are bound to see what they are and whether the people are likely to approve of our acts.

Hon. ATTORNEY GENERAL—Hon. members must remember that these resolutions will be submitted to the people, a much abused term, as the hon. member for Victoria District has truly said, and our common object must be to make the terms acceptable to the people. They will have to pass upon them in the last resort, and to say we will or we will not have them.

Hon. MR. PEMBERTON—The objection seems to me to be dividing British Columbia into districts. It is a qualification for Senators that they must reside in their districts, therefore I think it will not be desirable to divide the colony into districts. I think the clause should stand as it is.

Hon. MR. ROBSON—One matter deserves attention in connection with this item. I believe that the indemnity to Senators is six hundred dollars in a lump sum, without travelling expenses. I think it is now commuted, and this would place British Columbia Senators at a disadvantage with others. It is no hardship to other Provinces, but would be most unfair upon British Columbia, travelling expenses both ways should be allowed.

Hon. ATTORNEY GENERAL—My conviction is that mileage is now allowed. If I am right ten cents a mile both ways is allowed.

Hon. MR. BARNARD—It is the prerogative of the Governor; we had better vote for the repeal of the Organic Act.

Hon. MR. DECOSMOS—Under the proposed constitution Senators would be chosen by an irresponsible Governor, on the advice of an irresponsible Minister; those who own this country do not want such a state of things to be.

Hon. MR. WOOD—It is better to bear in mind that the Organic Act applies to three or at the most four Provinces: Canada East, Canada West and the Maritime Provinces, here we want exceptional terms.

Hon. MR. ROBSON—Hon. members seem to assume that we are going to enter Confederation without responsible government. This I repudiate. I say we shall enter with privileges equal to other Provinces. I decline to assume anything else. With regard to the appointment of Senators by the Legislative Council, I would ask by what Council? By this or by the new House? It would not satisfy the people that a Council nominated by the Governor should appoint, and it is yet to be seen that the new House, as shadowed forth by the Governor, would be less objectionable than this one. We are entirely in the dark.

Hon. MR. HUMPHREYS—As I understand it these Senators are to be appointed after Confederation, and consequently the recommendation refers to the new Council. His Excellency says that he will give a majority to the popular members, and I have no doubt he means what he says. I believe him to be a most estimable gentleman, but I have a feeling that he has been misled; it is not likely that in a few weeks' travel he could understand the wants and feelings of the people; you must eat, drink and sleep amongst them to understand a people. If I were a great Government contractor I would support the Government. I ask some reason of rank; it would be very easy to give us a majority of two or three popular members, but unless we have a large majority of Representative members the Government might still get their own way.

Hon. MR. ROBSON—I desire, Mr. Chairman, to answer two points. I believe we shall fight for and have responsible Government. In referring to the Governor's speech, the Hon. member for Lillooet, says the new Council will be just similar to this, that it will still be unrepresentative. I cannot see why there should be this doubt about the



Constitution of the new Council. If there were to be only a majority of two or three the Council would still be unrepresentative, and the people will not be contented with such a form of Government. The argument of the honourable member for Lillooet refutes itself in the most conclusive way. The people do not want an unrepresentative House, not having their confidence to elect their Senators.

Hon. MR. RING—What have we to do with the Organic Act? Why should we put ourselves under the iron points of the Organic Act, and be dragged under a harrow all the days of our lives? If the act is wrong it must be repealed. Now is the time to express our opinion.

The Chairman put the recommendation of Mr. Humphreys, which on division was lost, and of Mr. Robson, which on division was lost.

Clause fourteen passed as read.

Hon. ATTORNEY GENERAL—Sir: I rise to move the adoption of clause fifteen, which is as follows:

15. The constitution of the Executive authority and of the Legislature of British Columbia shall, subject to the "British North America Act, 1867," continue as existing at the time of union, until altered under the authority of the said act.

And before touching upon the merits of the resolution itself I wish to explain that the time which must necessarily elapse before Confederation will allow ample opportunity to procure a change in the Constitution, and I desire to impress upon Hon. members that this question of alteration in the form of Government, is not necessarily connected with the resolution now before the House. I make these observations in consequence of observing a notice of the Hon. member for Lillooet on the subject of responsible government on the orders of the day. On behalf of the Government I desire to say that there is no desire whatever to shirk the full discussion of the question of responsible government. I throw the door open and invite the fullest discussion, but as the question of the change of the constitution of this colony is one that lies between this colony and the Imperial Government, it does not form an item in these resolutions, therefore I would ask Hon. Members to postpone the consideration of responsible government and pass these resolutions. On a question of such importance a special day, irrespective of these resolutions, should be set apart for discussion—there is no desire whatever on the part of the Government to shirk the question. The matter of the constitution is under negotiation between this colony and the Imperial Government at this moment. Supposing these resolutions are passed, other negotiations must take place. First, Canada has to accept them, then there is reference back to British Columbia to submit to the popular vote, so that there will be full time allowed for the new institutions to be inaugurated if the people say that they do not

want the terms, but that they want responsible government, they will undoubtedly get it. I cannot conceive our going into Confederation with a Crown Council—we must expect to go in with fuller representative institutions. If we do not have Confederation under these terms, we shall nevertheless have representative institutions and a majority under the Imperial Act will have the power to change and get responsible government, that is party government. My point is, that it is not necessary to drag in responsible government now; it is not necessary to mix it up with these resolutions. Our vote on this resolution need not be decided on responsible government, or party government. We shall still be open to send any other resolution on the subject of party government to the Governor. I therefore throw out the invitation to discuss it more fully on a future day. I feel sure that if this course is adopted the discussion will be more free.

Hon. MR. RING—I think, Sir, that his Excellency's message, if I may so call these resolutions, invites us to discuss responsible government. Sir, we have been in former days favored with representative institutions, and have been defrauded of them. I desire to know what we have gained by the irresponsible government that has for some years past oppressed us. What I ask has been done about the various questions that have come up—the Sisters rocks, the Court of Appeal—the answer has been, no funds. Where do the funds come from? From the people. If the Governor heard the views of the people he might, perhaps, change his views. I ask hon. members here, who have lived under responsible government in Great Britain, (Hear, hear from Mr. DeCosmos) not to be recreant to their country. Hon. members on the other side say they are against responsible government and refer to a former House of Assembly of Vancouver Island. This is no argument. I trust that hon. members loving British institutions will be true to their country, because there are defects in some assemblies do not let us run into the abject error of saying we are not fit for self government. We have borne this too long; do not let us hand over to Canada our consent to submit to this degradation; let us not say we are unfit; that we surrender the question of self government. Who, I ask, has examined the people? Who has tried them and discovered whether or not they are competent to exercise the privileges of responsible government? There are many points in this clause which demand discussion, but I am not going to exhaust myself. I say, however, that the question of responsible government must be considered. I throw the gauntlet down.

Hon. MR. HUMPHREYS—Mr. Chairman, as mover of the resolution on responsible government, I do not think it necessary to take up the time of the House. I am perfectly satisfied in my own mind that the official members are convinced that the people are in favor of responsible government. As a

student of history, young as I am, I begin to realize this truth; that all liberty and improvement has been infused into communities by the shock of revolution, or violent agitation. There is no hope of political improvement in time of tranquility and without agitation. The official members of this council are remarkable for their profound indifference to right and wrong. It is in their interest to postpone the settlement of this question of responsible government. I hold that there is a great necessity for this resolution; the question ought to be settled now and forever. Why should we be compelled, year after year, to fight these battles for reform over and over again; let this question be settled so that we may have leisure for other things. Hon. gentlemen say the people are not in favor of responsible government; time will show. I say that they will almost as a unit insist upon it, and I lay down this proposition—no responsible government, no Confederation; no Confederation, no pensions. Instead of tightening the governmental reins they should be slackened. If responsible government is not granted these officials will still lose their power; for then in all probability a mightier nation than Canada will take charge of us. I am in favor of Confederation if it gives us permanent advantages not otherwise. We must have a free constitution. My conscience tells me that my votes on these resolutions are not prompted by selfish motives; if the people get responsible government I am satisfied. His Excellency admits that he would not like to extend the liberal form of government to this colony. My opinion is that there is no community unfit to govern themselves; government is not a complicated machine; there is very little difference between carrying on a government and carrying on a business. One-half of the depression in this colony is in my opinion attributable to the despotic form of government. Just fancy the head of a mercantile house allowing his clerks to carry on the whole business of the firm as they pleased. (Hear, hear from Mr. DeCosmos). Without responsible government you will lose Confederation: it is not necessary to say anymore; let us have something like the government of Ontario. Those whom I have the honor to represent sent me here to advocate responsible government. I will read from a petition now in my hands.

Hon. ATTORNEY GENERAL—This is out of order; I rise to call the hon. member to order; this is not the time to present a petition.

Hon. MR. DECOSMOS—The hon. member has a right to read from it.

CHAIRMAN—The hon. member cannot read from a petition which has not been presented to and received by this House.

Hon. MR. ROBSON—Mr. Chairman, I request that you will be careful in ruling on this matter. Hon. members have the right to read from documents to show the views of their constituents. It is alluded to as the

best means of acquainting the House with the views of the constituency which the hon. member represents.

Hon. ATTORNEY GENERAL—On the other hand I would say that the right of petitioners must be respected, and if hon. members are allowed to read petitions, then petitions can be got in by a side wind.

Hon. MR. ROBSON—In my opinion the hon. member has a right to read from a document of this kind.

Hon. DR. HELMCKEN—Having looked at this document I see it is not a petition to this House and may therefore be quoted.

The Chairman having looked at the document decided that it might be quoted.

Hon. MR. HUMPHREYS then read a portion of the prayer of the petition, which purported to be to Her Majesty the Queen.

Hon. MR. ROBSON—The honourable and learned Attorney General has appealed to those honorable members who are in favour of responsible Government to postpone the question for the present. I should be glad to accede to the request if the honorable and learned gentleman will meet the objections that present themselves to my mind as to that course. In my opinion to vote for this section now will preclude the possibility of our bringing on the subject of responsible Government in the House this session. We shall be met with the assertion that it has been already discussed and decided for this session. I am quite sure the honorable and learned Attorney General does not wish to catch us in a trap.

Hon. ATTORNEY GENERAL—Certainly not. As honorable members have insisted upon opening the question, I now propose to go on with the discussion.

Hon. MR. ROBSON—I am most anxious to meet the views of the Government in this matter, if possible, but as we are asked to vote aye or no upon this clause, I say that in voting for it we shall be casting our votes in direct opposition to Responsible Government.

Hon. ATTORNEY GENERAL—The discussion must go on now; you have begun; it is too late to withdraw; the lists are closed, and the gang of battle down.

MR. ROBSON—Mr. Chairman, I will address myself to the question before the House, which I feel to be the most important clause in these terms; a question, in fact, which underlies the peace, prosperity and happiness of British Columbia; a question which, if carelessly or improperly treated now, may eventuate in the most serious consequences to the Colony; for I believe the people are as ready now as in earlier days to fight for freedom, and to shed their blood in defense of their political rights. It becomes us, then, to be candid with ourselves and with each other, very serious, firm and dispassionate in discussing this clause, as it might result in most disastrous consequences. As I read the clause it places it beyond the power of the Colonists to obtain the form of Government which they, as I believe, really want, and if we pass it



we shall obtain no more than that slightly more liberal form, which is foreshadowed in his Excellency's speech, under the cover of representative Government. Profoundly impressed as I am, with the gravity of the subject we are now called upon to consider, any remarks I may be enabled to offer will proceed rather from a sense of duty to my constituents and to my country than from any hope of changing the views or influencing the vote of any honorable member. What is responsible Government? I have been led to believe that considerable confusion of Ideas exists upon this point; and I was the more impressed with this upon listening to the remarks of the honourable member for Cariboo, a few days ago. That honorable gentleman compared the introduction of responsible Government into this colony to applying the machinery of the Great Eastern to a dairy churn. Now, sir, responsible Government it not a quantity; it is a principle; and as such it is applicable to the Great Eastern or to a dairy churn, capable of being applied to a tiny lady's watch. It is a principle admirably adapted to the largest communities in the Old World. It is a principle admirably adapted to the smallest communities in the New World. It is a principle that may be worked out in a cabinet of a hundred. It is a principle which may be successfully worked out in a cabinet of three. Without it no Government can, in the true sense, be called a people's Government. All true Governments derive their power from the people. All true Governments must be responsible to the people. Responsible Government is, then, a principle which may be adapted to, and successfully worked out in this community. If this proposition is incontrovertible, which I maintain it is, who can say that British Columbia is not large enough for responsible Government. There are men here of ability to form a cabinet. The Cabinet of the day is, under the responsible system, the Government. Just so long as it has the confidence of a majority of the representatives of the people in the House. In the event of that confidence being lost, one of two courses is open. The Ministers place their resignation in the hands of the Governor, who commonly calls upon a prominent member of the opposition to form a Ministry; or if they believe that the House does not truly represent the people upon the question at issue, they advise a dissolution and an appeal to the country. What would responsible Government have to do here? In dealing with this question I, of course, assume British Columbia to be a province of the dominion; and I confess, that were it otherwise, were it proposed to remain a separate colony the case would be different. I do not say that even then I would not advocate the introduction of responsible Government, but that advocacy might be less hearty and less firm. Regarding British Columbia as a province of the dominion, the chief objections are removed by the

removal to Ottawa of all those larger and more complex questions of legislation which might threaten to crack the brain of our embryo statesmen. The local Government would alone have to deal with local questions, and thus it would have very simple duties to discharge, scarcely more difficult, in fact, than those falling within the functions of a large municipality in Canada. Are the people in British Columbia fit for it? And here I would express my sincere regret that the representative of her Majesty in this colony has felt it to be his duty to pronounce an adverse opinion. I will yield to no one, either in this House or out of it, in entertaining a high respect for his Excellency, for his talent, experience, and honesty of purpose. But I do say, and I say it with respect, more in sorrow than in anger, that I cannot think his knowledge of the people of this colony was such as to justify him in so early pronouncing upon their fitness for self-government.

ATTORNEY GENERAL—The honorable member for New Westminster will, I am sure, pardon the interruption, but I feel it my duty to deny that the Governor ever said, or that any member of the Government has said or thought that the people of British Columbia are unfit for self-government.

MR. ROBSON—I thank the honorable and learned Attorney General, and I appreciate his motives. There is no one less disposed than myself to speak or write one word calculated to weaken the hands of the Government, or cause the well-deserved popularity of his Excellency to wane; but yet I cannot conceal from myself the fact that a mere play upon words will not mend matters. Whether it is the colony or its inhabitants that has been pronounced unfit for self-government, the practical results remain the same, and it is with these we alone are concerned. From my own knowledge of the people, and it is the result of eleven years' contact with them, I have no hesitation in saying they are pre-eminently fitted for self government. There are scores of men in the country with callused palms and patched garments well fitted by natural endowments, education and practical experience in the working of responsible Government in other colonies, to occupy seats either in the Legislative Assembly or in the Cabinet of British Columbia. He who would judge of the intelligence and mental acquirements of men in this colony by outward appearance and by present occupation certainly would not judge righteous judgment. The opinion of his Excellency the Governor to the contrary, notwithstanding, I boldly assert that the people of British Columbia are fit for responsible Government. Do they want it? Doubtless there are those in this House, possibly even in the unofficial ranks, who will deny that the people of British Columbia really desire to have responsible Government under confederation. It is sometimes difficult to account for divergence of opinion; but I ven-

ture to think that I have the weight of both argument and evidence on my side when I assert, as I do, that the great body of the people, certainly an overwhelming majority, do earnestly and intelligently desire that form of government. It is difficult to believe that any man who has given due thought to the subject can possibly hesitate. Look at the position this colony would occupy under Confederation, without the full control of its own local affairs—a condition alone attainable by means of responsible government. While the other Provinces only surrender Federal questions to the central government, we would surrender ALL. While the other Provinces with which it is proposed to confederate upon equal and equitable terms retain the fullest power to manage all provincial matters, British Columbia would surrender that power—her local as well as her national affairs would virtually be managed at Ottawa. Could a union so unequal be a happy and enduring one? The compact we are about to form is FOR LIFE. Shall we take into it the germ of discord and disruption? The people desire change; but they have no desire to exchange the Imperial heel for the Canadian heel. They desire political manumission. I stand here, and, in the name of my ancestors, protest before Heaven against the surrender of constitutional rights purchased by the best blood of our race—a priceless legacy we have no right to barter away, even if we would. We owe it to our ancestors to preserve entire those rights which they have delivered to our care. We owe it to posterity not to suffer their dearest inheritance to be destroyed. But, if it were possible for us to be insensible of these sacred claims, there is yet an obligation binding upon ourselves, from which nothing can acquit us; a personal interest which we cannot surrender. To alienate even our own rights would be a crime as much more enormous than suicide, as a life of civil security and political freedom is superior to a condition of serfdom; and if life be the bounty of Heaven, we scornfully reject the noblest part of the gift if we consent to surrender that certain rule of living and those constitutional rights, without which the condition of human nature is not only miserable but contemptible. I know but too well that the people of this colony have, during these years past, been unjustly and unconstitutionally deprived of their rights; but the perpetration of a wrong in the past can constitute no argument for perpetuating that wrong in the future; and it would appear a most fitting moment, when a new constitution is about to be offered, to demand the full restoration of political rights of which we have been for some time so unjustly deprived. A word about the constitution which the Governor proposes to confer upon this colony. Regarding it in the dim light shed upon it by the Executive, it is not unfair to assume that there will be one more popular member taken into the Executive, and that the people will have a majority of two in the Legislature. Let us suppose that the Legisla-

tive Council has 20 members, 11 elected by the people and 9 appointed by the Governor. Three are taken from the 11 into the mysterious chamber of the Executive, where they become—I will not say corrupted—manipulated, educated to see things somewhat differently from what they saw them before. In a House so constituted, is it unfair, is it uncharitable to conclude that, on all government measures at least, the government would command a majority? Take 3 from 11 and 8 remain. Take 8 from 20 and how many remain to the government? Is it not 12? Where, then, is the people's majority under the proposed constitution? And yet I am constantly told that this is not the proper time to ask for responsible government—that if the people want it they will possess, under the new constitution, the ready means of obtaining it. Sir, I do not see the matter in that light. I see in the proposed constitution a condition of things which promises a five years', possibly a ten years' agitation for what the people are prepared for now, desire now, are entitled to now. All governments are naturally conservative. All persons holding positions of honor, power or emolument are conservative. Think you those holding office by appointment will favor or promote a change which would make them responsible to the people—exchange their commission from the Crown for the more brittle tenure of 'public opinion'? On the contrary, we should find those in power opposed to the people in their struggle for responsible government; and how long the struggle might last it would be idle to predict. Besides, the people of Canada do not desire to see British Columbia occupying any such false position. They know too well the value of free institutions, and their adaptation to new countries to think of withholding them from us. These institutions were not won without a long and bloody struggle, even in Canada; and the prosperity and contentment of that people date from the inauguration of responsible government. The failure of representative institutions formerly enjoyed upon this island, is frequently cited as an argument against responsible government being introduced here. I admit the partial failure of these institutions. That failure was not, however, on account of the institutions being 'representative', but because they were not 'responsible.' The essential principle was wanting. There was no constitutional connecting link—no bond of sympathy between those who sat by the will of the people and those who sat contrary to, and in defiance of, that will. The system, painted, though it was, in popular dress, was rotten at the core—proved a delusion and a sham. The people, sometimes in indifference and contempt, permitted unsuitable men to be elected, and the whole thing came to rack and ruin. It is to avoid a repetition of that unseemly farce that the people demand that any new constitution which may be conferred upon this colony shall be based upon the only true principle of responsibility. This ques-



tion should be finally settled. The colony desires political rest. To inaugurate a fresh political agitation with union is most undesirable and might lead to disastrous results. The possible consequences of a refusal to grant responsible government coincident with Confederation is a part of the subject I almost hesitate to touch. I would neither prophecy, predict nor threaten; but I would ask the government to read well and carefully the lessons written in blood in other countries. Human nature is much the same on both sides of this great continent. Has the Anglo-Saxon race become so utterly degenerate here that it is prepared to barter away for mere money subsidies those rights which were purchased with so much blood elsewhere? I utterly refuse to think so meanly of this people. We have seen that even the half-breeds at Red River have too much of the old blood in their veins to permit a fancied political wrong. I am not going to predict a rebellion here. Heaven grant there may be none. But I do feel it my duty to warn the government against unnecessarily provoking such a possible contingency. Why should there be such an unaccountable antipathy to investing the people of British Columbia with those political powers enjoyed under the British Constitution? Why is the present form of government so unpopular with the people? I will tell you why. It is just because it is not a people's government. They had no hand in making it. They have none in working it. They can have none in unmaking it. Only let the people have a hand in forming the Government, in selecting men of their own choice to rule over them, and we would find a popular government, a strong government, strong in heart and confidence of the people. The very same gentlemen who are unpopular now, because ruling without the consent of the people, would be popular then, because ruling by the act and with the consent of the people. The people of British Columbia are naturally a conservative people. Restore to them their political rights, and no Government would need to fear an undue desire for change. The people know best how to manage their own local affairs. Depend upon it; sir, the people are seldom wrong in their opinions; in their sentiments they are never mistaken. Those now in power have a great responsibility resting upon them. Upon the manner in which they acquit themselves in regard to this very question may hang the most momentous consequence. Will they promote everlasting wellbeing? or precipitate untold evil? Heaven grant that they may do right! I stand here today to advise and warn, not to threaten and predict. The Government has a very grave responsibility in this matter, and may well take a lesson from other countries. The possible consequence of a refusal to grant a reasonable request may be repetition of the Red River trouble. Let not the government make a fatal mistake, or they may find themselves in a state of political agitation that may lead to the most serious consequences. I believe that, under circumstances analogous to what oc-

curred in the Red River Territory, the Imperial Government would treat the inhabitants of this colony with even more consideration. It would not be a question of bayonets and fleets to coerce this colony; but it would be a question of what concessions ought to be made. I say that the Government have an opportunity now not only of shunning evil but of doing a great work. Oh! let not the Government make the fatal mistake of saying the people shall not manage their own affairs. Do not let them make the fatal mistake of compelling the people to reject these conditions at the polls. Now I have discharged a duty; I have said all I feel called upon to say at this stage. I have stated my own views and, I venture to think, those of an overwhelming majority of the people of British Columbia as well as of my own constituents. I trust the Government will take care how they force a vote on this question which affects this whole community (Hear, hear). This is, in a sense, distinct from the conditions, and it is probable that the Governor must obtain what we are now asking from a different quarter. But, obtain it from where he will, it **MUST**, I say, be obtained.

I beg to move the following amendment, as meeting the case more fully than the resolution offered by the hon. member for Lillooet:

Whereas no union can be either acceptable or satisfactory which does not confer upon the people of British Columbia as full control over their own local affairs as is enjoyed in the other Provinces with which it is proposed to confederate, therefore, be it

**RESOLVED.** That an humble address be presented to His Excellency the Governor, earnestly recommending that a Constitution based upon the principle of Responsible Government as existing in the Province of Ontario, may be conferred upon this colony, coincident with its admission into the Dominion of Canada.

**HON. ATTORNEY GENERAL**—Allow me to observe on this, that the hon. member is asking the Government to grant what it has no power to give.

**HON. MR. ROBSON**—The Governor has promised to seek the power to grant us a new constitution. We only ask that in that new constitution we may have responsible government.

**HON. MR. DECOSMOS**—Mr. Chairman, I do not intend to occupy the House for many minutes. I agree with the hon. member for Lillooet and I disagree with the hon. member for New Westminster. I think, sir, that we ought to have representative institutions and responsible government irrespective of Confederation. The hon. member for New Westminster's proposition unites it with Confederation. I think this is a mistake, but it is of no matter so long as we get it. I look upon British Columbia as a municipal-

ity under the British Crown. Under Canada it will be a municipality with less power. Anyone who knows anything of municipal law knows that it is based upon three principles: Territory, authority and responsibility. This colony has the first two, and we are now asking for the third, and the terms sent down to the Council do not contain the elements of responsibility of the Executive to the people. Everything is tending to this point. Without responsibility, no matter how elective the new Council is, it will be a failure. The people want responsible government and representative institutions under any circumstances. I think the people would be traitors to themselves if they accepted any form of government which had not the element of responsibility. I would rebel if there were enough like me in the colony, and arrest every member of the Government that I thought was robbing me of my rights. I would go to a further extreme. However, I shall not trouble the House with a long speech on this matter, as I consider it of little use. This question ended, I am contented to leave this Council and go to my constituents.

HON. DR. CARRALL—Mr. Chairman, I should like to ask what all this breeze is about? It is perfectly clear to all that as soon as we enter the Confederacy the people of this country can have any form of government they desire. I refuse to take up the issue without Confederation, in a state of isolation. We are dealing with Confederation. I am, equally with the hon. member for New Westminster, aware of the priceless boon of responsibility, which exists in England, which may fairly be called the Standard-Bearer of nations, and I am equally aware that the same responsibility does not exist in the United States. During the late war I was in the United States' army. Stanton, the then Secretary of War, was a most unpopular man. They wanted to get rid of him, but he could not be removed. When I took the ground that responsible government was not expedient, it was not because I did not approve of the system. It is, I say, the wisest and best form of government, but it is too cumbrous for this colony. I will repeat my objections: The Council contains no men of influence, the constituencies are too remote, and the inhabitants are all engaged in bread-seeking; there are few men of independent means who would take part in responsible government and consequently the direction of public affairs would fall into the hands of men who are not fitted or qualified to govern the country, or otherwise into the hands of Victorians; neither of which I, for one, wish to see. How unfortunate it would be for Caribooites if the hon. senior member for Victoria, (Dr. Helmcken) were elected for Cariboo, I say, then that it must fall into bad hands, or into the hands of Victorians. I offer that argument as a British Columbian. The Executive Council do not care one fig what sort of government the people take. The Executive say the question is one for the people to decide. We have a

measure of responsibility now. The hon. member for New Westminster says that His Excellency will do certain things. I take his speech as it reads, and I have no doubt that a majority of the people's representatives will sit round the board; none know how great the majority will be. (Attorney General—Hear, hear.) Responsible government has never been made a distinct issue throughout the colony. [It has, Mr. DeCosmos.] The hon. member says that it has; I say it has not. It has been named with Confederation but not by itself; and until it is made a separate question my advice to the Governor will be not to grant it. The Governor has left you to choose any government you deem best. Do you think it would be better to have as permanent heads of departments two or three gentlemen who are familiar with the wants of the colony, or a moveable ministry going out on a question of repairs to Cowichan road, or something of that kind. These are amongst the things that you have to consider, and if, after due consideration, the people desire responsible government they will have it. I am here to state that his Excellency the Governor has no wish or desire to keep back responsible government, if he had any such desire is it likely that he would have reconstituted his Executive Council so as to make it elective? I apprehend that people do not consider what they are talking about when they ask for responsible government; they have not probably considered the failures that have been made in respect of responsible government; there have been some failures, as, for instance, in Jamaica and in Victoria. A class of people get into power under responsible government whom no person would like to have as rulers. There are petty interests mixed up with politics in small communities which prevent the system working so well in them, as in large countries like Great Britain where there is a healthy tone, and a vast population and consequently great questions of national importance. I maintain that after Confederation the questions connected with local affairs will be so small and so entirely connected with particular localities that a staff of permanent heads of departments will be far better for the colony than responsible government. I make this statement from conviction. I am perfectly free to take any course I like, notwithstanding I am an Executive Councillor. My position has not in any way curtailed my views. I could have advised responsible government if I had thought proper, and would have done so if I had thought it desirable for this colony. If anyone believes that the Organic Act does not allow responsible government to be obtained at any time let him move to make clause 19 specially applicable to this colony.

HON. DR. HELMCKEN—It is in the terms already, only it is not specially named.

HON. DR. CARRALL—Well, name it specially and put it in; I will support it if anyone proposes it. We know what His Excellency's intention is with regard to giving



representation in the new Council, but we do not know the measure of it. If there is an overwhelming majority for responsible government in all districts, electors will take care to send responsible government members to the next Council, if the people are determined to have this 'priceless boon,' let them send men who will say they will have it. I feel impelled to administer a soft and gentle rebuke to the hon. member for New Westminster, who has, I must confess, won my esteem by his mainly, straightforward support of these resolutions; but I must take exception to his language, it has been too emphatic—unintentionally of course—because led away by the subject. He has used inflammatory language which he had better not have uttered, language which was not exactly in accordance with what I conceive to be correct. That clause in the Governor's speech which speaks of our not being fit to govern ourselves, Governor Musgrave has never said so; if he had I should have taken it as personal insult. I say, as a British Columbian, I am capable of governing myself, and if we can individually govern ourselves it is fair to suppose that the colony, as a whole, can govern itself. If you had the whole population come-at-able altogether, so that they could be parallel like an army, and you could make them give expression to their views, and out of that get a government, it might be practicable; but instead of that, here we are with a scattered population, isolated centres separated from each other; the majority are here for the sole purpose of making money, and they don't feel that anxiety that has been represented about responsible government; they want to be governed as cheaply as possible. If I am wrong, if it turns out at the polls that even a trifling majority are in favor of responsible government, they can have it. The iron heel of Canada is all nonsense. Governor Musgrave is the man we have to deal with, and I say that responsible government is a relief to any Governor, for it comes between him and the people. Governor Musgrave says that it is his (I paraphrase) my duty with my experience to give fair and frank advice to the people; to tell them what I think is for their good. If they determine differently to my advice the fault is with them. Supposing that Governor Musgrave had put responsible Government in as a condition, and had thrust it upon the people, would not the respectable minority who are against it have said, or possibly, and as I think probably have said, His Excellency had acted unwisely. This question has been before the people; they would have been justified in jumping at the gilded bait of responsible Government if the Governor had not proposed a new system; but as he has done so the people will do well to consider before they swallow the barbed hook that lies under the bait. I desire to disclaim speaking in the interest of officials their position would, so far as I believe, not be injured in any way by the introduc-

tion of responsible Government. Those among them who were commissioned in England (I mean the heads of Departments) will be rendered so independent that they will be above fighting after their own interests. I think it unlikely that they will remain here. As to the balance of officials, if Canada is as liberal now as of old, or as liberal as Australia, they will be well provided for whether we have responsible Government or not. Probably they will be "utilized," since that is the term we are to use. I claim for the system which His Excellency has foreshadowed, that it is more suitable to the present circumstances of this colony than any other system which can be given us. Responsible Government has acted well in large communities, but in small ones I doubt its efficiency. It is like a painted ship on a painted ocean. If it were obtained in a small colony like this, there would be a constant game of battledore and shuttle cock going on—in to-day, out to-morrow. Fancy the honourable member for Victoria City presiding at the Lands and Works Department one day, and I, having paid him all the compliments I could, come over another day to have an interview with the Chief and find that there has been a change of Ministry, there is another man in. My ideas may be wrong, if so, they can be corrected at the polls. If I were a man of property, with a large stake in the colony, I should decidedly object to responsible Government. I have given my opinion candidly and honestly. I may never sit at this Council Board again. I have given my advice to his Excellency, to this Board, and to my constituents conscientiously. If I am wrong the people will correct me. I speak from conviction. No doubt there is talent in British Columbia; no doubt there is plenty of administrative ability; there are many better men than myself, I am very sure, and that is one reason that I oppose responsible Government. (Laughter.) But the main difficulty is that the best men won't come here; the chaff is blown here, the wheat remains behind.

On motion of Hon. Mr. Drake the debate was adjourned to Monday.

### Monday, 21st March, 1870.

Hon. MR. RING rose to resume the debate, and said; Mr. Chairman, I feel assured that the House will accord me leave to say a few words. There have been submitted for the consideration of this House two amendments, and in the observations of the movers two points of argument have been adduced, the first founded on supposed reasoning, and the second in the way of threats and military argument, grounded on the possibility of the government refusing to insert this condition. I desire to disengage myself from this latter argument. When I hear anything tantamount to a threat from the people against the Executive I desire to

repudiate it. Hon. members who put such a picture of warfare before us talk bunkum. I address my humble petition to His Excellency, but if his judgment is against us, I say to him stand to your point and do not give way to threats; listen to no arguments as to what may happen in the nature of threats; stand to your points. I say to Executive members, don't yield to threats, don't be moved by them. I support the principle of responsible government, but I do so constitutionally. I say to Executive members, I trust you will yield to reason and argument but not to threats. I say we can ask for responsible government without the leave of the Organic Act; but I say let us repudiate all connection with Canada until we have secured responsible government; let us not wait till we are surrounded by Canadians. With regard to the railway, I say that in the life of the youngest amongst us we shall not get it; but we must make this the main resolution: without responsible government let us have no Confederation. Better bear the ills we have than fly to others that we know not of. Let us not run the risk of having to ask Canada for responsible government. Make it the emphatic *SINE QUA NON* that we must have responsible government or no Confederation.

Hon. MR. HUMPHREYS—Out of deference to the amendment offered by the hon. member for New Westminster, (Mr. Robson,) I ask the leave of the House to withdraw my motion so that the amendment, the latter part of which I like better than my own, may stand.

Hon. ATTORNEY GENERAL—I regret very much that a discussion so inapposite, so totally unnecessary, should have been forced on by the other side of the House at a time so inopportune. I am glad that the hon. member for Lillooet has withdrawn his motion; it leaves the Council to deal with the amendment of the hon. member for New Westminster, and I deeply regret that the hon. gentleman did not accept the invitation to give up a special field-day to the discussion of responsible government, as suggested by myself after we had passed clause 15 of the Terms. This I stated at the time the House was quite competent to do. Then members on this side of the House might have freely joined in the discussion, perhaps some might have supported the principle, but no! The hon. proposer of the amendment, with the light of battle in his eye, had refused every suggestion; and afterwards, when he began to find out his mistake, it was too late, there was nothing for it but to go on. The *melée* had begun; the glove is down; the visors are closed, and the lists barred. It cannot be put off. If the hon. member for New Westminster had been opposed to responsible government he could not have devised a course more adapted, than mixing up the question with terms, for shelving responsible government for the session. One point which requires special notice and correction is that nearly all speakers during the debate seem to think that the

Governor alone could grant any alteration of Constitution that may be required, merely for the asking, but this is a mistake; he cannot. The Constitution can only be changed by the same power that created it—the Imperial Parliament and the Queen in Council. The Governor can only recommend. It is for the Home Government to say what the change shall be. As to the able speech of the hon. member for New Westminster, the eloquence of which I was forced to applaud in spite of myself, it was an argument based upon fallacious premises throughout, asserting that we should only have a representative majority of one, which could only lead to a false conclusion, and I take it that the hon. member is in favor of responsible government as a *SINE QUA NON*, else why all this tall talking of blood, wading knee deep in blood, why this encouragement of rebellion, in defence of our rights and the like, and yet I understood the hon. member for New Westminster to say that he does not make responsible government a *SINE QUA NON* for Confederation.

Hon. MR. ROBSON—I said nothing of the kind. I do not choose to state whether or not I would make it a *SINE QUA NON*.

Hon. ATTORNEY GENERAL—I have an accurate recollection, and have a note of it, and I ask the hon. member to state whether he will make it a *SINE QUA NON*.

Hon. CHIEF COMMISSIONER—I understood the hon. member for New Westminster to say that Confederation would not be satisfactory to the colony without responsible government, but that he would not pledge himself to make it a *SINE QUA NON*.

Hon. MR. ROBSON—I said further that I did not pledge myself that the people would not.

Hon. ATTORNEY GENERAL—I then understand that the honorable member for New Westminster puts it not as a *SINE QUA NON*.

Hon. MR. ROBSON—No, Mr. Chairman, I never said that. I will not be placed in such a position. I refuse to have such an issue forced upon us.

ATTORNEY GENERAL—Either the honorable member puts it one way or the other; one of two opposites must be true. I can quite understand, and must prefer the direct and simple issue of the honorable member for Victoria District, for immediate responsible Government in any case, either with or without confederation. I say, sir, that the question is in no way connected with the discussion of this clause.

I say that responsible Government ought not to be considered until after the Council is reconstituted with an increased representation, as shadowed forth in his Excellency's speech. I have said that we shall have the sole control of the matter in our own hands if we have confederation. I say we, because I identify myself with this country. I speak on this matter as a citizen. I say that if we have confederation we shall have an opportunity of getting responsible Government. If we have no Confederation then we shall have increased representation, and under



that we can get responsible Government if the country as a unit goes for it. Honorable members are complicating this question. I cannot imagine that it was the intention of the honorable member for New Westminster to complicate the question. I have too much respect for him to allow myself to suppose so; it is impossible; and that he wished to force a negative, is equally impossible. It is an error of judgment in my opinion. If it had been left to the Council separately it would have left honorable members more at liberty to consider the question freely. I was, in common with other members carried away in admiration of the outburst of oratory of the honorable member. But there was an allusion—a warning. It is said that it was not a threat; but there was talk of shouldering muskets, and of blood and bloodshed, as if that was the proper way to get civil rights. I protest against these threats, these turgid speeches which oppress the ears of those who wish to listen to argument and reason. As to the opposition of the Government members it arises from no dislike to the system on the part of the head of the Executive. Responsible Government interposes a barrier between the people and the Governor, which is most useful to the Governor. I say that we are not in a position to take advantage of responsible Government. If the country thinks it necessary or desirable what is there to prevent our getting it when we choose to ask for it. The honorable member for New Westminster himself told us that the Imperial Government were always ready to step in, and yet he hints at violence and disturbance. When the honorable Chief Commissioner of Lands and Works proposed a resolution last session, which was seconded by myself, with respect to a change in the Constitution, asking for a Council with a majority of one of representative members, honorable members said we don't want the change, and voted it down. If we had secured this we should have been a step further in advance than we are in constitutional progress. I say we must hesitate before any body constituted as this Council is, can pass resolutions of such a nature. Any such resolutions ought to express the full and deliberate opinions of the country. As to the special merits of responsible Government itself, it is hardly necessary to argue it here at such an inopportune time. I shall therefore merely say that I think it totally inapplicable at present to the circumstances of British Columbia, where population is so sparse, and lies at the circumference of a circle which contains an area of 300,000 square miles, and where representation is so difficult that the form suggested would be the most expensive that could be adopted, and instead of preventing agitation will be likely to increase it. Much of the population is alien, and in any case this Council is not the proper body to pass upon it. If, however, the country is of a different opinion they can say so at the polls, and there is no power can prevent their getting responsible Government. But I would ask what makes the system so particu-

larly attractive to honorable members who advocate it? We are told that it is solely, because it will be good for the colony, but there is no attempt to prove the proposition that has been set up. Another thing strikes me as coming with a very bad grace from those who support this recommendation. It presupposes a distrust of Canada, and assumes that men of the large experience of Canadian Statesmen, and so reliable as they are, are not to be trusted to yield to a general cry from the country for enlarged representative institutions. I don't think that this is the time to go into the question. I say, then, that whenever responsible Government is wanted it can be had. I need hardly refer to the position of official members in this matter. The terms already passed by the House so far as this question is in any way connected with Confederation, leave the officials free to express their opinions. I must, myself, vote against this recommendation, and I press upon the honorable members to do the same in order to prevent the complication of the terms with any such irrelevant question.

Hon. CHIEF COMMISSIONER—I must endeavor in as few words as possible to state the position of the Government members upon the subject now before the House. I fully understand that it was imperative upon some hon. members to bring forward this question of responsibility at some period of the present session, having advocated it by speech and pen as the specific remedy for the ills that the colony was laboring under. Consistency demanded that the question should be brought up by them for discussion; it was a logical necessity. Inexorable fate, I say, impelled certain hon. members to advocate responsible government. I had, however, hoped that the hon. members who advocated it would have reserved it for separate consideration, instead of bringing it up as an amendment to this clause now under consideration. (Mr. Robson—no, not an amendment.) Virtually it is an amendment. If this clause had prescribed that any future alteration in the constitution should have been dependent on Canada, then I could see the desirability of hon. members on the other side of the House taking exception to it; but as it is I confess I am at a loss to comprehend their position. Although, as I said inexorable fate compelled hon. members to bring the subject forward, it is a mistake to bring it up in a Council constituted as this is, especially when the Governor has so distinctly expressed his views in opposition to the inauguration of responsible government at the present time. It would surely have been much more to the advantage of the cause they advocate for hon. members to have postponed the consideration of the question for the more representative House shadowed forth in His Excellency's speech. I say shadowed forth, for on reflection it must be plain to all hon. members that His Excellency was not in a position to tell what the constitution of that House will be. He does not know. He has recommended

certain changes for Imperial sanction; they may or may not be favorably considered. His Excellency does, however, tell you that the representative element will be larger, and I think, therefore, that it would have been wiser on the part of the representative members who advocate responsible government to have left it to the next Council instead of bringing it forward while the present resolutions are under discussion. The subject, if not positively irrelevant, is not connected with this resolution, which simply provides, as a matter of form, power to change the constitution, in accordance with the Organic Act, when the people desire it. In common with the hon. Attorney General, I am surprised that hon. members who cordially support Confederation should be afraid to trust the Dominion Government upon this question. I am surprised at the inconsistency of those who tell you that the people could not get responsible government under Confederation, and that the wishes of the people would not be allowed to prevail. I am surprised particularly at the hon. member for New Westminster expressing any doubt upon this subject. I, as an individual member of this community, would willingly leave the interests of the colony to the guardianship of the Canadian Government. If I did not think that that Government would exercise whatever power it might have for the benefit of the people, instead of, as suggested by hon. members, for its own aggrandisement, I would have no Confederation. If under Confederation there would be no chance of responsible government, how can the hon. member expect to get it from a Council constituted as this is? However, as the subject has been brought forward for discussion, it behoves us to consider it upon its merits. There were two propositions before the House. The hon. member for Lillooet has withdrawn his, which was in reality but a vague expression of an abstract opinion in favor of responsible government, a recommendation in general terms. We have now to confine our attention to the amendment of the hon. member for New Westminster; the preamble of which states that Confederation will not be satisfactory to the people without responsible government. The resolution itself although embodying the same principle as the one which has been withdrawn, contemplates a practical step towards obtaining the object recommended, by addressing the Governor. The hon. member for New Westminster was careful to reserve his own opinion, but he was very positive that Confederation without responsible government would not be acceptable to the people. Coming now to the subject and matter of the speeches of the two hon. members, I find that the arguments of the hon. member for Lillooet are simply invectives, his entire logic is abuse of the Government and the persons composing it. I have always understood that assertion is not fact, and that invective is not argument. It may be that my inability to appreciate the force of his remarks arises from my not possessing

the qualification which he told us was essential to a proper understanding of the people and the people's affairs. It may be that I have not 'eaten and drunk and slept with the people,' and cannot, therefore, rightly estimate the strength of demonstration which general and indiscriminate abuse of government officials may convey to some minds. As to the hon. member's earnestness of belief in his case, his conscientiousness in the discharge of his duty to his constituents and to the colony, had we ever had any doubt of it, his positive and repeated assurances of the honesty of his intentions in this matter, of his unflinching determination to do his duty to those he represents, must have forced conviction upon us. But, while giving him full credit for singleness of purpose, I must take leave to remark on his singular mode of recommending the subject to the favorable consideration of this Council, since his argument in its favor is to heap general accusation and vituperation on the official members of this Council, whom he invites to join with him by voting in favor of his views, to confirm his view of their utter baseness and worthlessness. I shall not place myself in opposition to such a line of argument. But, sir, the argument of the hon. member for New Westminster is of a very different character. I congratulate him and I congratulate the House on the manner in which the matter was treated by him, and especially as regards the officials. I acknowledge the courteous manner in which he touched on these points in his arguments which affected the members at this end of the table. It is inseparable from the discussion of this question in this House that it must to some extent partake of a personal character, it must almost mean a vote of want of confidence in Government officials. The smallness of the community reduces it almost to a question amongst individuals, and as the Government members have been placed, unnecessarily and inexpediently, as I think, to some extent upon their defence, I must speak plainly on some points, but in doing so I must deprecate any idea of giving offence. I say, then, that responsible government is not desirable, and is not applicable to this colony at present, is practically unworkable. And here I would deprecate the impression which is being so studiously instilled into the people of this colony concerning what has been said of the unfitness of the colony for responsible government. His Excellency the Governor has never said, nor has any member of the Government ever said that the people are unfit, individually, to govern themselves. I say that, man for man, this community will compare favorably with any people on this coast. (Hear, hear, from the Attorney General.) Nor is it even the smallness of the population that I consider to be the great objection, although I admit that this is a drawback; but it is the scattered character of that population. It would be practically impossible to organise electoral districts so that they should properly represent the interests of the separ-



ate parts, and of the whole colony. As Victoria is the centre of wealth, and intelligence also if you will, under present circumstances the government would be centralized in the hands of Victorians, who would thus rule the colony, and this would be objectionable (Hear, hear from Mr. Holbrook), and I say also that there would be a great difficulty in getting proper representatives to represent the respective districts. I do not agree with the hon. member who has stated that only the chaff of the people is blown into this House, for I say, sir, that this Council, constituted as it is, has proved that men fit to represent the people do come here. Responsible government will come as a matter of course when the community is fit for it, but that form of government is not fitted for communities in their infancy. It has never been so considered. Look abroad into the world and you will find large populations without responsible government. There is no necessity to look far off to see whether the Anglo-Saxon race must necessarily have responsible government. Look across the Straits, where there is a population of, I suppose, 30,000 people, and there they have neither responsible government nor representative institutions. Look at Oregon, also with no representation until the population exceeded 45,000. Look at the Red River Settlement, also with a population larger than ours; they do not apply for responsible government. It does not follow according to the rule of Anglo-Saxon minds that this form of government must prevail. I do not think the sort of responsibility which is advocated would be suitable to this colony at present, or would promote its true interests. If I did think it desirable I should be found amongst its most cordial advocates, as this is a matter open for discussion without Government direction. But I think, sir, that our present form of Government is practically a more real responsibility to the people than that proposed by the hon. member for New Westminster, this form which the hon. member for Lillooet finds it so easy to animadvert upon. For we are in reality if not directly responsible to the people. We, as servants of the Crown, are directly and immediately responsible to the Governor, and the Governor is responsible to the Queen, who is the guardian of the people's rights. This is no mere idea, for the fact of responsibility has been, over and over again, proved. If you have any good grounds of complaint you know where to lay them and get redress. This responsibility which we owe is more real, less fluctuating, less open to doubtful influences, and under it the rights of the whole country are secured and protected, and not those of the majority to the prejudice of the minority, as under the so called responsible government, which really means party government, advocated so warmly by the hon. member for New Westminster. Why, sir, the hon. member has admitted to you that under that system the government of the day might come down to pass measures by unfair means.

Hon. MR. ROBSON—No, I made use of no such words; what were my words?

Hon. MR. TRUTCH—The hon. member said, and I took down his words, that under responsible government 'the government might come down to the House and carry measures by means not excessively fair.' I say that this cannot occur under the present system, that no corruption can be charged against this government. I think the House is capable of being remodelled. I would rather see a larger element of representative government in this Council with such a majority that the government would have no opportunity of passing a measure objectionable to the people, as understood by their representatives; such a majority as I advocated in a resolution submitted to this Council. But the hon. members for New Westminster, for Victoria District, and for Lillooet, tell you that the people desire responsible government, that they must have it and will have it. I say, sir, that if they do say so, which I very much doubt, it is because the population have been educated up to it by those who have agitated the subject through the Press and through speeches; some no doubt press for it from conviction, and some with a view to serving their own ends, but I believe, sir, that what the people really want is such an administration of the government as will tend to bring back prosperity to the colony. You are told that the present officials have no sympathy with the people, that they are not of the people, that they move in a different sphere, and constitute a class by themselves. Is this true—or is it not rather the fact that persons who have ends to serve have put us in a class by ourselves? The hon. member says that the hands of the benefactors of the people must be callous with labor. Who, I ask, are those throughout the world who have labored most for the people by speech and pen? I say that the great statesmen who have done most to advance the truest interests of the people, have not sprung from the ranks of those whom the hon. member classes as the people. The hon. member for New Westminster says that the present government officials are well enough, able and honest but that they cannot enjoy the confidence of the people because they are not THEIR officials, they are not elected by them. And, be as able as we might, and as honest and work as we might, and do what we might for the people's good, we could not gain their confidence because we are not directly responsible to them. And the hon. member sympathized with us for the position! Now, sir, if it be true, as he says, that the government have not the confidence of the community when, he says, they deserve it, whose is the fault? I say, sir, it is the fault of those who, by voice and pen, have for years sedulously prejudiced the public mind of this community against that government, not by pointing out faults to be remedied, but by general and indiscriminate fault finding,

descending to personal abuse, and even to the verge of scurrility. We have striven to do our duty. Hon. members do not advance arguments, but content themselves with saying that we are unpopular. I tell you why: If false impressions have gone abroad on this point let the responsibility of those impressions rest where it ought, for I say that it has been the business of certain persons to prejudice the public mind against government officials; let them settle the question of motives with their own consciences and with the people. If the officials in this House occupied the positions which would be held by officials under party government, I could understand the persistent course of opposition offered by some members present; but when I see the changed position, that there is no responsible government, and that our mouths are closed and our pens cannot be used in self-defence, I feel that we have been struck in a cowardly manner, and let the public defend the motives of those who have attacked us. I invite all in this House or out of it to aid us to carry out the government, and to act in a reasonable way in promoting the general interests of the colony. Whether we are to have responsible government or not I don't know. I feel that it will come in good time, when the circumstances of the colony are so changed as to admit of its adoption—I think sooner with Confederation than without it—but whether we have it or not, I ask hon. members to assist us instead of endeavoring to complicate matters and retard the progress of the colony. I ask them to give us some credit for good intentions. Now, sir, one remark in conclusion: the hon. member for New Westminster, in his powerful oration, has not only allured us with the prospects of popularity under responsible government, but he has, I will not say threatened, but warned us of the result of our opposing him in this matter. He tells us that unless responsible government be conceded the cause of Confederation will be ruined, that the people would not have Confederation without responsible government, this in fact is embodied in the preamble of his resolution. Sir, I have cordially supported Confederation because I honestly believe that it will be for the benefit of the local interests of this community as well as for the security and consolidation of Imperial interests; but I believe that this community is not ready for responsible government; I will not, therefore, do what I consider wrong that good may come; I will not vote for responsible government for the sake of gaining Confederation. I, for one, say, if the people won't have Confederation without responsible government, if they regard responsible government as the main object of Confederation, if they do not appreciate the real advantages of Confederation, let Confederation wait a while. The Governor has sent down resolutions which he thinks can be carried out, and we hold that, whether under Confederation or not,

this matter of responsible government will ultimately have to be settled by the vote of the people. When the proper time comes we shall, I say, as a matter of course, have responsible government, and that time will arrive sooner under Confederation than without it. I trust the Dominion Government; I do not think they will go against the will of the people. I believe that in this, as in other matters, if they exercise influence at all, it will be for the good of the country. A government of liberal institutions cannot be expected to oppose the wishes of the people in proper and reasonable matters. Responsible government ought not to be a condition of Confederation, and I say that in these resolutions it is very properly left to be settled in a new and more fully Representative Council, which the Governor has told us he is going to obtain Imperial sanction to establish. But if Confederation is to depend on this question of responsible government then I say let it be the test also of the reality of the supporters of Confederation.

Hon. MR. ROBSON—I expect the privilege of a general reply, but I desire to explain, now, that the Hon. Chief Commissioner has made an unfair use of what I said about “horny hands and patched garments.” I disclaim having used it in that connection attributed to me; his remarks are unfair.

Hon. MR. WALKER—I think on an important question of this kind every member should give a reason for his vote. I have given the matter great consideration, and had intended entering somewhat fully into the discussion, but the Hon. Chief Commissioner has anticipated me. I have been utterly astonished as I listened to what fell from him. I entirely coincide with him in his argument and in his views. Indeed, I can hardly help thinking that either he has copied my notes or I his. I must congratulate myself on coming to this conclusion. On the same grounds I congratulate the House on the good temper, good taste, intelligence and ability with which this question has been launched for discussion. The main speech for the honorable member for Victoria District did not deign to express his views, has been that of the honorable member for New Westminster. As I listened to that speech, sir, one of the best ever uttered in this House, I almost felt that for five long years I had been wrong, he almost made a convert of me, but upon looking a little more closely into it I find that it is based upon false premises; his arguments are fallacious, and his conclusions wrong. The honorable member says that responsible Government is a principle which may be applied either to the Great Eastern or to a dairy churn, or to a lady's watch; that it is a principle capable of being carried out by three, or three hundred. This is utterly incorrect; it is not a principle but a form, one element of which is responsibility to the people. It is a form adopted by the people, but it does not follow as a matter of induction that it can be used or carried out in



every place or by every community. In 1837 the rebellion in Canada for the purpose of acquiring responsible Government took place. The rebellion was raised and the question agitated simply for changing the form of Government. What was the population? It was in the neighborhood of 2,000,000 in 1837, and of 2,500,000 in 1861. Look at the difference of the population of this colony, after deducting the aliens and females, there is scarcely a voting population through the whole colony of 3,000. Have the whole country mapped out and show me how much further the Governor can go in usefully extending the representation. We have nine members, and out of these nine, under responsible Government, we should have to elect a Colonial Secretary, an Attorney General, a Chief Commissioner of Lands and Works, and probably two other Cabinet Ministers, altogether five in office and four struggling for power. Make the whole number eighteen and you then have a constant struggle for power, a struggle such as we have not had in this colony before, and such as I hope we shall not see. There are virtually two ends of the colony which represent all the wealth and property of the community, Victoria and Cariboo. Cariboo would be contending for the repeal of road tolls, and Victoria would be contending that they ought to be paid. It may be said that these general questions of taxation will be left to the Dominion Government, but there are many other subjects which will create differences between the two ends of the colony. The honorable member for New Westminster says if we go in without responsible Government we shall go in with agitation. Does any one believe that if we had responsible Government to-morrow, politicians will have no subject on which to agitate. Political agitation will never cease. Let us go further. As the honorable Chief Commissioner says we have the United States advocating responsible Government, and that form of it which is said to be the best in theory, a form in reality democratic, but the people are not educated to the extent of the principle itself. Americans are averse not only to granting small but large territories, the freedom which we now ask. They say, "You shall be a Territory until you are properly educated." For instance, there is Washington Territory, with a population of 27,000, sends a Delegate to Congress, who has no vote. Dakota, another Territory has been refused admission as a state until it has a population larger than it now possesses. I am just reminded about Alaska, which is not even a territory yet. General Thomas reported against giving it any other than a military form of Government. How can we then expect responsible Government with our population. I know that there are honorable members wavering; their interests tell them to vote one way, their conscience points to another. I say, vote according to your conscience. I say that a village can never have responsible Government. I maintain that it would prove a curse through the agi-

tation that would follow instead of a blessing. I coincide with the honorable member for New Westminster as to what he says as to callous hands. I believe there are men with tattered garments in the upper country quite capable of giving a sensible vote upon all questions likely to come before a Council in this colony, but we find that they have too much to do, they have no time for politics, they have to earn their own bread. I believe that the honorable member for Cariboo has uttered the true sentiments of the great majority of the district. I do not believe that Cariboo is favorable to responsible Government. These gentlemen with the patched garments and callous hands have the same opportunity that the member for New Westminster has had of coming into the House. He has told us with pride of his hard work as a pioneer on the Fraser river, and to-day we hear him advocating with most eloquent language, his views upon this great question. His voice has had much to do with shaping the councils of this House, and I ask, are these doors shut to any man in the colony of equal talent with the honorable gentleman who can be found willing to devote their time to the service of their country? I do not feel in the servile position of being obliged to vote one way or the other. I am as free to vote as the honorable member himself. I shall give my vote to the best of my ability. I believe that no compulsion has been brought to bear upon any member of this House, official or otherwise. The latter part of the speech of the honorable gentleman (Mr. Robson) is hardly worthy of the former. It contains language which I am very sorry he has used, language which makes me believe that it is not from conviction, but that it is intended to go forth to the world to stir up the people; excellent stump oratory, if, without intending the slightest disrespect I may use the term. I believe it is not the wish of the property owners of Victoria to have responsible Government. Do you suppose, sir, that property owners are going, willingly, to intrust their interests to persons of whom they know nothing? I do not dread professional politicians, I believe they are as useful as any other professional men in their way, but I say, as a fact, there are no politicians here with the exception of those who have devoted their time to politics. Why, I ask, is there so great an antipathy to leaving this question for the people to decide at the polls? "Give us," says the other side, "an opportunity of educating ourselves, so that our mistakes, when made, may be remedied." I say that there is no better education than this Council in which honorable members have education before they come to responsible Government, for under the scheme foreshadowed by the Governor, the position will be very little inferior to responsible Government. Depend upon it, if the Canadian Government think we can manage responsible Government they will give it to us, they will be glad to get rid of the question. I say, however, this question is being agitated at an inopportune time.

I, for one would not consent to trust my interests to any such change. I do not believe in the present form of Government, but if the form foreshadowed by the Governor be carried out, it will give the people a system very little inferior, as I have said, to responsible Government, and infinitely more workable. I trust that honorable members will give due weight to the remarks of other speakers who have preceded me upon this question, and will well consider their votes.

Hon. MR. DRAKE—Mr. Chairman, I have a strong objection to this clause being inserted; it never ought to have been in the terms. It presumes that this colony is willing to go into Confederation with the form of Government that we have at present; it seems to have been put in as a sop to Canada; it ought to have been left out. I cannot see why it was inserted, or what advantage it can possibly be to us. If we go into Confederation bound hand and foot with the same form of government as now, we shall have no power to change the form. We shall then have Canada as a Queen Regnant; we shall then have an Executive who will if so directed, vote against responsible government. This colony would be a preserve for Canadian statesmen and Canadian patronage; we shall be no more advanced then than now. Without going into argument I may be pardoned, I trust, if I quote three propositions of John Stuart Mill on responsible government. First, 'Do the people require it; or are they unwilling to accept it?' We are told that this has not been made a question; I deny this statement. It has been made a question, more or less, in Victoria at every election; every election depends more or less on this point. Second, 'Are the people willing to take the burdens which are imposed on them by such a form?' I say that we have the answer to this proposition in the fact of there being people willing to come here where they are practically useless. Do not persons come forward to represent the people? A very large majority of the people take part in every election. Third, 'Are the people willing and able to do that which will enable the government to perform its functions properly?' This I contend is the condition of the colony. The main argument of the Chief Commissioner in his very able speech, a broad argument and very well put is that the population is scattered. I say this argument cannot be used with effect. We are told that the Government would fall into the hands of Victoria as the centre of population and wealth; no great harm if it did. Victoria is dependent upon all parts of the colony and they on her; the interests are identical. Another objection that has been raised is that we cannot get men of proper intelligence and qualifications for positions of honour and trust. Looking round this council board we see men who have come out to this colony to make their own fortunes and homes; out of them the present members of the Government have been chosen, and out of our present population there can be found an

equal number of men who can properly fulfil the duties of the Government. I cannot see that it is impossible to find proper men. If we find men willing to sit in this Council now we shall find plenty ready and anxious to share in the burdens of responsible government. The sufficiency or insufficiency of population is not an element in this question. The United States has been pointed out to us as an example. I say there is no responsible government in the United States, it is an absolute despotic democracy, absolutely irresponsible to the people except once in four years. There is no such thing as responsibility in the form of government of the United States, the only means of getting rid of a minister is by impeachment. The hon. member for Cariboo, in his rambling speech, gives us no new argument against responsible government; he certainly reiterated much that was forcibly put forward by the hon. Chief Commissioner. I can well believe that the wheat was left at Cariboo and the chaff came here.

Hon. MR. HUMPHREYS—Sir, I have listened to the speeches of the hon. Chief Commissioner of Lands and Works and to the hon. Government Nominee, and I find them difficult to answer because there is so little in them; the only way would be to have them printed and read them, they carry their answers with them. One hon. member says that it rests on numbers; I say that intelligence is the only qualification for responsible government; numbers have nothing to do with it. If I err I am proud in erring with some of the greatest men that England ever produced. The hon. Chief Commissioner has admitted that the population, taken man for man, is equal to that of any country. Then I say we have the proper qualification; let us have practical and not theoretical means of governing. What is really the case? Under the present form of government the people have to pay for the privilege and benefit of a few gentlemen sitting round this board. Take away this form of government and make it more liberal, and what is the danger? All the civil wars and troubles have not arisen from the uneducated, but from the ambition of these so called educated classes. The people have been the Conservatives who came forward to keep the country going; take away the so-called intelligent and educated classes and it will be no great loss, the laboring classes can always supply men to fill their places; but take away the working classes and you kill the world, the educated classes cannot fill their places. In my opinion, sir, the people want practical reality. They have endured too long the law's delay and the insolence of those in office. Why should we come here, year after year, to ask for a change in the form of Government? I think that responsible government should be a *SIN QUA NON* of Confederation. I shall move an amendment to that effect.



Hon. DR. HELMCKEN—Great heavens! what terrible things are said and done in the name of the people. To hear hon. members talk one would think that they were the people, but the people are quiet while hon. members are very loud. I intend to support the Government; I do not mean to say much for or against. I take the position that the people can have responsible government when they want it, and their representatives ought to be satisfied to take it when the people really and seriously ask for it. Responsible government has been one of the watchwords of a certain set of politicians who wanted to bring on Confederation, government of from for and by the people, without regard to the material interests of the Colony—this means government by politicians. These gentlemen will sacrifice every benefit to the Colony for responsible government. Confederation to me means terms; to them it means pickings, office, place and power. This will be represented I am well aware, as being the result of being in the Executive Council; it is said that there is a great difference between the atmosphere of the two Councils. I acknowledge it. There with closed doors people speak the truth without any AD CAPTANDUM arguments addressed to the galleries; there people can state what their opinions really are; here popularity has to be sought. We are told that the people will fight for responsible Government. That is mere nothing—words only. The honourable member for New Westminster in his able speech erected a very handsome structure, but like most fancy structures, it will be a very expensive one. He wants a Government like Ontario, that is a Government of one House, with eighty members. For a Government of that kind not less than forty or fifty would be absolutely necessary.

Hon. MR. ROBSON—I never said like that of Ontario, but that we wanted the principle of responsible Government as existing in Ontario.

Hon. DR. HELMCKEN—Then why not bring in a scheme embodying it? The true principles of responsible Government can only exist satisfactorily with forty or fifty members in the House. It would cost very little short of \$20,000 per annum. That out of the very small amount we are to get from Canada would reduce the amount likely to be available for public works to a fraction. You must have a large number to work responsible Government, or more properly speaking, party Government. If we are to have it, I would not have the heads of Departments responsible to the people, at least not the working heads; if any head of a Department is to be responsible to the people, let it be the political head; but I would make the working heads of Departments permanent. I have found from my experience of the old Vancouver Island House of Assembly, that policy frequently changes and turns round. The same thing would happen under responsible Govern-

ment. If I wished to oppose Confederation I believe that I could not do a better thing towards effecting my object than to vote for responsible Government, but I want to see the more material wants advanced by Confederation. I know that material interests were not the pivot, but that it was place, patronage and office that was wanted. With regard to the present system of Government, it is very easy to say that it is bad, but I have listened to all the speeches and have not heard one word of practical fault-finding with the present government—merely the assumption that the people desire change. This desire for change they have been educated to. I acknowledge many faults in the past, but we have now a new Executive, and we are promised a change in the form of government; but this is apart from Confederation altogether. It appears to me that the first thing we have to arrange is the money question, to get our material interests first settled, to make sure that this colony should be pecuniarily better off, to make the question of Confederation now turn upon material interest and not allow our material interests to be jeopardized by a cry for responsible government, not allow responsible government to be the sauce to make the public swallow bad and unprofitable terms. All members have acknowledged that 'money' is the basis of all governments; let us get that money. I would not have the public vote for responsible government and forget or put in the background, the money. Place the question upon material terms and the colony will demand profitable terms; but mix it up with responsible government and you get a divided opinion upon it, and those who think responsible government everything will vote for that to the exclusion of any terms, or, at all events, with unprofitable terms. There are doubtless, many who hope to live upon responsible government, but, sir, responsible government is not food and raiment. The people can live without responsible government but they cannot live upon it. Give them food and raiment first, the rest will follow in natural succession. These few words will give you my reasons for consenting to the arrangement proposed in the conditions. More than this, I am not pledged to responsible government, but I am pledged to representative institutions. The latter have been granted. My mission thus far is fulfilled. I have always asserted that we must take our steps to responsible government gradually. Having representative institutions, we can go on to the other. No one ever stated that the people were unfit to govern themselves; all acknowledge that they have talent enough. But this I do assert, that thus far the people have shown an unwillingness to govern themselves—have taken but little interest in the matter. It is not that they are unfit, but unwilling; they prefer looking after their own business; it pays them better. I need not refer to the difficulty of getting members, and doubtless some of

us sit here from that cause, and it is no doubt true as has been said that better could have been found outside. If you have responsible government it will fall into the hands of those who wish to make a living by it. No one has said that it would be economical—it would not be so. It would require at least thirty members to carry on party government, for six weeks at least every year, or \$150 per diem for 36 days, which would amount to \$5,400 and then the mileage would come to as much more, say, altogether \$10,000. Add to these the salaries of the political heads, say five at \$2,000 per annum, and then you have the nice little sum of \$20,000 a year. Then, I suppose, each Minister would require a pension when he went out. The real executive officers would remain then as now, and would have to be paid nearly as much as at present. The truth is there would be a great difficulty in getting members, and without a large body of members it could not be carried on. You would find that the best men would avoid politics, and soon there would be very great corruption. There is a great deal of talk about voting away the people's money, but it must be borne in mind that a part of that money, under Confederation will come from Canada, and she will have a right to see it properly expended. There is also a great deal of talk about hon. official members voting their own salaries, but would not the same thing be done under responsible government? Have not hon. representative members voted themselves salaries this present session? Hon. members say that if responsible government is not granted we will agitate. I thought that everybody was so much in favor of it that the people would rise, if it were not included in the terms, that there would be employment for every gunsmith in Victoria; and yet we are told 'we will agitate'.

Hon. MR. ROBSON—I never said that: I said that the people would agitate.

Hon. DR. HELMCKEN—It is much the same thing; the agitators will 'beat the bush' once more, and they will perhaps be driving the birds for other people once again, if the people really desire responsible government. Why is there any necessity for all this agitation? I admit that many of the people of Victoria desire it, and think that it can be carried out. Ask the scattered districts in the country and they will tell you that they do not know or care about it, political opinion does not run high in the colony. I intend to support the government upon this clause, but I leave myself perfectly free to vote for responsible government if I think proper. I want to secure the material interests of the colony. Let the people say whether those material interests will be benefited by Confederation, but not mix up the question of responsible government with it. I am perfectly willing to abide by the decision of the people on responsible government, and on Confederation on Terms, separately. My sole desire is to see this country materially benefited if the people

want responsibility I will not say nay, but we must have good terms. At the polls responsible government might carry Confederation with very different terms. I am perfectly certain that the Government have acted wisely in not allowing the terms to be clogged with responsible government. I say don't let responsible government take the place of material benefits.

Hon. DR. CARRALL—Sir—I rise to take exception to what the hon. and learned member for Victoria City said about being bound hand and foot to Canada. In my remarks he can find no efforts to catch votes, and no clap trap addressed to the galleries, but I advocate what may be unpopular from conviction.

Hon. MR. BARNARD—Sir—I agree with the hon. Chief Commissioner that it is a pity that this question has been brought up now, for I had made up my mind to vote for responsible government in its entirety, but the hon. member for New Westminster put the question to the hon. Attorney General, who said it must go on.

Hon. ATTORNEY GENERAL—I said that as the hon. member for New Westminster and others insisted upon opening the discussion it must go on.

Hon. MR. ROBSON—I felt regret that it should be brought up now but when I asked if we could put it off, the hon. Attorney General said it was too late.

Hon. ATTORNEY GENERAL—I offered the hon. members for New Westminster and Lillooet every opportunity for discussing the important question upon a day to be set apart for the purpose.

Hon. MR. HUMPHREYS—What I did was in consequence of what the hon. Attorney General said at the commencement of the debate, he invited recommendations, otherwise I should not have put my notice on the board.

Hon. MR. BARNARD—It was fully impressed on my mind that the question should not be mixed up with the terms. I am astonished at the charge against representative members of trying to force this question upon the House at an inopportune time. I will leave it to the government to say whether it shall be left for another day or go on.

Hon. ATTORNEY GENERAL—I say, again, now the debate has begun, now the gauntlet is down, the debate must go on.

Hon. MR. ROBSON—Sir, this course is most unfair on the part of the government members. Let the House decide whether it will go on with this question now or postpone it. It seems to me that the hon. Attorney General is resorting to a parliamentary manoeuvre in forcing this matter on. It is a matter that representative members only ought to vote on. We shall have a large majority of representative members on this question and that is all we want. I say that the Attorney General did not fairly answer my question as to whether, by passing this resolution, we should shut the door to further discussion of the question during the present session.



Hon. CHIEF COMMISSIONER—I should now object to the resolution being withdrawn, as the question has been discussed let us take the decision upon it, it would be unwise to postpone the question.

Hon. MR. HUMPHREYS—I think, sir, the matter cannot now be postponed, let us fight it out and have done with it.

Hon. MR. ROBSON—I say, sir, that this debate may be postponed, and if the government vote is given against the postponement we shall know the reason.

Hon. MR. BARNARD—The hon. Chief Commissioner said that he should take an adverse vote on this resolution as a vote of want of confidence. I don't want that. Won't hon. government members help us?

Hon. DR. CARRALL—The opposition say that the government ought not to have put such a resolution on the terms. Let us take that issue.

Hon. MR. BARNARD—It was not my desire to hamper the government; I desired to give a hearty support to the government, and, at the same time, to do my duty to my constituents. I have never felt the weight of responsibility as I feel it to-day: I feel that I am about casting a vote which will affect for weal or woe the destiny of this fine Province. I am convinced that if a majority of the elected members of this Council vote 'aye' to-day on this question, responsible government will be inaugurated conjointly with Confederation. It is beyond a question that the intelligent portion of the community are in favor of responsible government, but there is a grave question in regard to its adaptation to the colony. The words coming from His Excellency are worthy of careful consideration. They contain strong reasons against the introduction of responsible government. Public opinion is not settled on the Island. The hon. senior member for Victoria city has shown in his remarks that there is a great want of settled principle in the colony. The principal men of Victoria are averse to taking upon themselves the duties and labor of legislating for the country. Men of standing and wealth stand aloof. The merchants, manufacturers and professional men take no interest in the matter of legislation. There is a great difficulty in getting good representative men. There are, I admit, many good reasons which might be urged against the measure, and I have no doubt that dissatisfaction, to some extent may ensue. I agree with the Commissioner of Lands and Works, in his remarks about the press influencing the public unfavorably to the government, but the blame is not in the press but in that system of government which keeps the rulers silent. The members of the government ought to be in a position to defend themselves both by pen and speech. I have glanced at a few reasons against the admission of responsible government, but I will now look at the other side. Look at the fact of all the larger subjects, under union, being dealt with by the Federal power. This fact of itself is as strong an argument as we need. What hon. member can go to his constituents and tell

them that he thinks the local business of this colony could be managed better at Ottawa than it can be by ourselves? The official members of this government will no doubt avail themselves of the retiring pension, and appointees from Ottawa will take their places. Will these latter officials have to be pensioned off by this colony when we adopt responsible government? This is a strong objection to entering the union under a system like the present. This colony may be asked to pension another set of officials. Will the people be satisfied with this sort of government if we are to have appointees from Ottawa? There are a class of men who oppose Confederation on this ground. They would prefer remaining as they are, with the officials nominated from Downing Street, rather than from Ottawa. It is often asserted that this colony is not ready. How long are we to wait? Canada was told the same story when she had a population of 600,000. All the other Provinces were told the same thing. Must we wait for such an increase, or must we fight as did Canada? Throw us on our own resources as a colony and we will soon learn valuable lessons in the science of government. There were gentlemen of good families and of good education, who came here in early days, who had never suffered privations of any sort before they came here; sent out to make fortunes, or, at all events, homes for themselves; their roughing it was rough indeed, bad news had come from the mines, the avenues of trade were closed, there were no agricultural pursuits for them to turn to, the consequence was that they had to lie round hotels; after failing to get government employment, for which, as a matter of course, they applied, some kept bars whilst waiting for remittances. The reason was that they never had been taught self-reliance; we shall be in the same position if we are constantly to have rulers from England, or Canada, but throw us on our own resources and we shall succeed. Self-reliance is the best means of education in politics as in anything else. If our rulers are sent us from England or Ottawa we will always lack self-reliance. Self-reliance is written on every line of the "British North American Act." Rely upon yourselves, is the cry of the people of England. It is better to grapple with the difficulties now when the issues are small and comparatively unimportant, and should we make blunders they will not be so serious when our interests are small; and for what errors we do commit, the consequences will fall upon ourselves. We will, no doubt, blunder at first and there may be chaff blown here. If responsible government will bring the scum to the top, dross will go to the bottom. The scum will be ladled off—the chaff will be blown away by the breath of public opinion. The Governor's promise of a majority will not satisfy the people, and we should therefore, urge upon His Excellency to give us responsible government. I am not in favor, however, of making that condition a *SINE QUA NON* of Confederation. I would accept Confederation with good

terms, even without responsible government. There may be a few arguments against it, but there are many in its favor. Under no circumstances would I like Confederation and responsible government to go to the polls together. I hope the people will sever the two. Let us have Confederation and we shall get responsible government.

Hon. Mr. Wood—In rising to address myself to the motion now before this Committee, I do so with a double object: I feel myself challenged to uphold my opinion on the subject of responsible government as applied to this colony, and I am desirous to add a few words on the bearing of the subject in the matter of Confederation now before the Council. 1st. With respect to the subject of responsible government. As to this, sir, my views have been for a long time settled, and I shall endeavor to express them as clearly as I can; the result of them is expressed in a few words. I am in favor of the extension of representative institutions little by little, to the utmost verge of safety. But I am opposed in this community at least, to the establishment of what is called responsible government. These are my views shortly. I believe them to be the settled convictions of most moderate and experienced men not bound to flatter popular constituencies. And I believe I am doing a service to society in upholding such moderate views against the popular error and the popular bias in favor of the rash application of responsible government in such communities. I will start, sir, at once from an historical point of view. The hon. member for New Westminster has, as I understand him, asserted that responsible government is the immemorial birthright of Englishmen, and that the principle of Cabinet ministers going in and out with votes of a majority of the House of Commons is a principle of ancient date. My understanding of the history of my country leads to a different conclusion, and however much it may be clear and obvious that representative institutions are our natural and inalienable birthright—however much it may be established that the power of self taxation resides and has always resided in the representatives of the country, in the Commons of England, carrying with it the overwhelming power of the purse—it is, I believe clearly admitted that the principle of responsible government, as now understood, has existed for little more than 100 years, say from the accession of George III and the termination of Lord Bute's administration, so that I admit the hon. gentleman's proposition only so far as this. Representative institutions are the birthright of the British nations, representative institutions and the privilege of taxing ourselves. Now, sir, I believe the whole scope of representative institutions to be greatly misrepresented. It is the fashion for honorable members to say, that the Government of this or any other community are bound to govern according to the well understood wishes of the people; that the vox populi is the vox dei; that ministries and

Governments are responsible to the people. But the true principle, as we all very well know, is that Governments and ministries are responsible, not to the people as a populace, but to the representatives of the people, properly and reasonably chosen. Governments and ministries are responsible not to numerical majorities, but to the country. Now, sir, representative institutions are liable to this obvious and well known danger. I will quote the words of a well known political writer, Herbert Spencer. "Whenever the profit accruing to the Representative individually, from the passage of a mischievous measure largely exceeds his loss as a unit in the community from the operation of the injurious law, his interest becomes antagonistic to that of his constituents, and sooner or later will sway his vote." How true and how obvious this is. I might go further when the private and personal, the direct and immediate interest of the representative or of the constituents, whose advocates and delegates they are, is opposed to any matter of legislative action. This direct and material interest will, of a certainty, prevail over the distant and more remote welfare of the community, in all but very rare instances. This is the danger that threatens all representative institutions, and the only safeguard against it is the qualification—the pecuniary and material qualification of the representative, the pecuniary and material qualifications of the elector, and accordingly we see representative institutions flourishing and successful only when this safeguard practically exists. Let us turn to the example of England. In England representative institutions and responsible Government work smoothly. And why? Because of the notoriously aristocratic and plutocratic character of the Legislature of Great Britain. Political life is a sealed book to any but the wealthy classes. Every member of Parliament is a man of property, no other can afford the luxury of legislative life, and society is secure in the hands of representatives whose property would suffer from the results of vicious or reckless legislation. I say nothing of the question of peace and war, probably the most momentous and disastrous subject of vicious and reckless legislation, a question which will not arise in the colony. The cream of all legislation is taxation, and my solid conviction is that representative institutions and responsible Government will fail whenever the working majority is in the hands of an unsubstantial class of Representatives or of electors. I have thus, sir, treated of representative institutions and responsible Government somewhat in the abstract. I will now refer more particularly to its application to this colony, and this apart from any question of Confederation, and I will repeat that I am in favor of the extension to the utmost possible limits of the representative elements of this Council, but adverse to responsible Government. With respect to the constitution of the Legislative Council of British Columbia it might, I think, hardly be necessary in the



present condition of the colony, to advocate a second Chamber—a Council as distinct from an Assembly. However advisable this may be in an advanced condition of the colony, advanced in numbers and wealth, few, if any would advocate such an institution as a second Chamber. The elements for forming such a chamber are sadly wanting in the present state of affairs, and the matter may be dismissed without further comment—without discussing the advisability in a general way of such an institution at all, or the constitutional elements of such a body. But with regard to the Legislature on the supposition of its consisting of one single House, it will be necessary to speak at somewhat greater length. Of what elements ought such a legislative body to consist? At present it consists of official members, heads of departments. Official members not heads of departments but representing for the most part, different Magisterial districts, a few nominated members—nominated, I think it is reasonable to presume, from an impression of their being tolerably intelligent and moderate—and a few representative members.

It is asked whether the constitution of this Council should be altered so as to establish direct responsible government, or what may be looked upon almost as its equivalent, a large working majority of responsible members. I leave out of the question at present, all reference to any modification of the constitution of the Council in the event of Confederation, and I consider the matter at present, only in reference to the Council and the Colony in their actual condition. At present it is obvious, and must be felt by all of us, by official members no less than by independent members, that our position as a Crown Colony, is what is commonly called a FALSE POSITION. We are individually as well fitted for self-government as our brothers or our cousins in the Old Country or in Canada. I will go further: I will say that the community taken individually in this Colony is BETTER qualified to demand and have representative institutions. I say taken INDIVIDUALLY—and I mean it in its strict sense. Man for man, I believe the Colonist a better politician than his English cousin. The aristocratic class hardly exists it is true. It is an injustice to presume for a moment that the Colonist in this, or any other colony of Anglo Saxon origin is in any way unfit for the enjoyment of the freest political liberty. Higher class we have none, but the middle and lower classes are, I do not hesitate to say it, superior to the middle and lower classes at home. The colonist is more enterprising, and more pushing than the stay at home Englishman. He has better knowledge of the world and of human nature, he graduates in a school in which politics are prominent, and he is free from an immense amount of ignorance and prejudice which is thought and written and acted in the old world. But then comes the consideration, what elements are indispensable in the community to form the representative body, if as is contended, that element is

to be supreme, or what is the same thing in point of actual power, when that element constitutes the working majority? I will answer, 1. Localized and permanent population. 2. Established diversified interests; wealth, whether capital or regular income, the well-doing of professions, businesses and industries, agriculture, substantial industries, staples. Population herein we are deficient—6,500 adult white men—sporadic, scattered and temporary. How many care to vote, how many are aliens. Established interests here also are deficient; isolation our drawback; staples we have, but they are undeveloped or unlucky; gold mining is depressed; agriculture under a disadvantage and no good market; coal not much sought after and minerals a speculation; lumber unfortunate; fisheries unestablished and commerce in the way of export killed by the abolition of the free port, or inferior from the absence of a large home demand. These are all our material elements of wealth and we have them in no great abundance. Now without them what have we? A sparse community in which the only thriving interest is agriculture, and that only because supply is not equal to demand; or in other words small in numbers and importance and no wealthy class at all. Can self government be trusted to such a population? I say, emphatically no! Now I am not greatly in favor of a high qualification for representatives for members of the Council, it is sufficient for me that they represent substantial interests; but when we have unsubstantial representatives representing unsubstantial and small constituencies I can hardly understand anything more dangerous, and I might add, more ridiculous or more extravagant. That representatives should be substantial people is desirable, but that they should represent substantial interests is indispensable. If representatives are unfaithful to their trust the remedy is possible; but where the class of electors is needy and unsubstantial, it seems impossible to conceive anything more disastrous. Taxation, as before has been observed, is the cream of legislation; and taxation at the hands of unsubstantial men, or men forced to advocate the interests of unsubstantial constituencies, will be nothing but tyranny. Opinions may be divided in many other matters, the votes of a party may be split on many points; but in the hands of the masses the substantial class will be heavily and unmeasurably taxed to suit the views of those who have nothing to lose and all to gain by any contemplated movement.

Take the example of V.I., in old days, as an example of a small and a narrow community; again, the example of Victoria, in Australia, where legislation is effected by the enormous majority of the advocates of the interests of constituents elected on a low qualification, manhood suffrage. I cannot but understand that if the Government is in the hands of the representatives of the people, and a working majority of them—supreme representative Government, if not equivalent to, is, in effect, equal to respon-

sible Government. In the hands of the representatives of the people, supplies would all be voted, except conditions were exacted, favorable to the popular will. And, sir, having treated on representative and responsible Government as applied to this colony let us see its bearing on the subject of confederation, and here I follow in the footsteps of the honorable member for New Westminster; his reasoning is mine, but not his conclusion. Without responsible Government, or its equivalent, or its approximate Government by a representative majority, we have no safeguard against a Government of Canadian officials, British Columbia will be a colony of Canada, a dependency of a dependency, and Canadian interests will prevail. Dependence on England is bearable, they have no interests apart from ours, but dependence on Canada would be unbearable; their interests are different from ours. That is the conclusion that is inevitable; it is but a logical conclusion. Confederation without responsible Government or Government by a working majority of representative members, is out of the question. Such a Government cannot be had; therefore Confederation is out of the question. I have thus sir, given my opinion on a point which is sure to meet with popular disfavor, but I am proud to support the Executive when I think it is right; and I would share the responsibility of a measure which would make that Executive obnoxious to blame. I have no chronic feeling of opposition to Government. I have no objection to individuals, nor do I impute to them sordid motives, but in the matter of Confederation the Executive of this colony are in a false position; they act primarily not for the good of the colony, but for the good, or supposed good of Great Britain, and they exercise the power of Government in a matter in which the interests of the colony are mainly at stake to carry out, and effect an organic change of great importance to local interests. It is somewhat unfair for me to say I impute motive to the Executive. I only quarrel with them when they place themselves in a false position, as in the question of education, and in this as in education I say they oppose their own views to the views of the well understood wishes of all classes of the community; and here they carry through a scheme of Confederation; they start the stone, and it is hard to see how or where it will roll. I sincerely feel for their position. The colony will demand representative institutions, and they will be forced to yield them or back out of the position they have undertaken. The answer of the Executive Government to this is as given by the Hon. Attorney General. The Attorney General says that after Confederation we are bound to have what we require—responsible Government. This is taking the matter for granted. It may be attained, but with a struggle. It is impossible to doubt that the Executive of the new province will oppose representative Government or any diminution of their own rights and their own power.

He says it is inopportune and beside the question. The honorable member for Cariboo (Dr. Carrall) says: "If the people of British Columbia want responsible Government no power on earth can prevent their having it." This is but a promise for the future. The Hon. Chief Commissioner says the community is not fit for responsible Government, but the matter is to be left to the new Council. Responsible Government will assuredly come with Confederation. The honorable member for Victoria (Dr. Helmcken) says: "This is the argument of the Government. But something must counterbalance Canada, otherwise with a working majority in the House the Dominion, Government will keep things as they are when we are a province of Canada."

**Tuesday, 22nd March, 1870.**

Hon. HOLBROOK—Mr. Chairman, I rise with some diffidence to give my opinion as to whether we are fitted for Responsible Government or not, after the able speeches that have been delivered by hon. members on the subject. The hon. and learned member for Victoria City (Mr. Drake), has affirmed that responsible government would give the real government of the Colony to Victoria. This I believe is true, and if such were the case what injury it would inflict on New Westminster and the Mainland generally. I feel that we are not yet fit for responsible government; but nevertheless, I think that the extent of the population is very much under estimated. It has been stated that after the most careful calculations that can be made the white population cannot be calculated at over 5,000 adults, but I think this is wrong and no doubt it has been taken from the Government accounts which do not include Kootenay, Big Bend, or the settlements around New Westminster, and I would make the adult white population to be 10,000, besides 40,000 Indians, and these Indians ought not to be ignored. If they are not represented will it not be difficult to make them contented with the change from the Imperial Government to Canada? And it is for this reason that I have given a notice of motion in this House to show them that they are not forgotten, and that they may go on with their settlements and improvements in safety. But if we are to have responsible government I will not be answerable for the consequences. We are told the question is to be submitted to the people. I say let us wait for their decision. I have confidence in Canada and am content to take my chance of being well governed by the Dominion Government, rather than try something of the working of which we know nothing. I have no doubt that great agitation on the subject of responsible government will be got up by the press and that many members will gain their elections by confusing the questions of Confederation and responsible government. I entirely concur with the hon. Mr. Wood in believing



that more liberal representation will do much more for the good of the Colony than responsible government. I believe in a good franchise being given as foreshadowed by the Governor's speech, and I think twelve elected and eight nominated members would give satisfaction and work well, although report makes the change more liberal than this. We are now on the eve of prosperity. Our Quartz mining is still to be commenced and we only want good roads to Kootenay by way of Eagle Pass, to open our resources in this respect. I do not intend to enter upon the question of responsible government. I believe it would be bad for us and is not required by the people. I shall support the Government in the clause now under discussion.

Hon. MR. DECOSMOS—Mr. Chairman, I had not expected to say anything more on this subject; but on more mature reflection I am satisfied that it is my duty to do so. The more the matter is argued and the more the remarks of Government members are heard, the more I believe we are being asked to take a leap in the dark; for all I can learn is that the new House is to be partly nominative and partly elective—and not responsible; the proportions are not stated. It has also cropped out that there will be a qualification for members and also for electors. If the Government refer this matter to the people to know whether such a Constitution will suit them, I believe the people to almost a unit will reject it. The mass are opposed to Confederation altogether unless they can get a more liberal representation than that proposed by the Government. At the outset I proposed a committee of all parties to consider and report upon the whole matter; but the hasty judgment of the House, as I think, deferred the question. Now, sir, I think if the committee had met and suggested for the protection of the property element that one-third of the members of the Council should be elected for a longer period and hold property qualifications, the country would have been satisfied. I can conceive, on some such proposition as that being laid before the House, it would have been eminently successful; as it now stands it is matter of opinion. I think the Governor has been led into error if the utterances that occasionally drop from members of this House mean anything. I cannot conceive that the people will accept such a Constitution. I should prefer that we should go into Confederation as a unit. I have made these few remarks to set my mind at rest and to save myself trouble with my constituents if I should offer myself as a candidate again. I state that I believe the Government will jeopardize Confederation on this point.

Hon. MR. DEWDNEY—Sir, The question now under consideration has been so fully gone into by hon. members of this Council, that I feel it will be useless for me to take up the time of this House to any great length. At the commencement of this debate I had several arguments which I proposed to bring before your notice against respon-

sible government, but I find that these have been ably handled by other honorable gentlemen far more ably than I could have hoped to do, and should I not have been convinced at the earlier stages of this debate, other arguments have been adduced which now completely set my mind at rest on the subject. I am opposed to the recommendations of both the hon. members for New Westminster and Lillooet, particularly the latter, and in opposing them I do not feel I am injuring the cause of Confederation. But while I feel, Mr. Chairman, that it is unnecessary for me to enter into the question of responsible government, I think I should not be doing my duty were I to remain silent upon one matter connected with this debate—one upon which I consider I am as capable of giving an opinion as any hon. member of this council, namely, the feeling of the inhabitants of the mainland generally with regard to responsible government. I have travelled through this country as much as any hon. member of this council, and I have been brought in contact with all classes and have mixed with all classes, and I have yet to meet the first individual who has expressed to me his desire for responsible government. Now, Mr. Chairman, do you believe, does this council believe that the cry throughout this Colony is, down with the present form of government—let us have responsible government. Hon. members of this House are aware, I presume, that my avocations for some years past, in fact as long as I have been in the Colony, have necessarily brought me in contact with all classes, and should this have been the cry do you think I should not have heard it? I say distinctly again I have yet to meet the first individual who has expressed to me his desire for responsible government. The feeling of my constituents is not in favor of responsible government; on the contrary it was distinctly expressed to me that they do not desire any change in the present form of government. All they want is money to keep their trails in order and a resident magistrate to administer and carry out the laws. I believe that some hon. members of this House have mistaken the feelings of the country on this matter. Any dissatisfaction that exists is not with the present system of government but with the expense of carrying the system out. We all feel that, and we all know that it cannot be avoided for reasons which have been given over and over again in this house, namely, the smallness of population, scattered as it is over so vast an area. I have not heard during the debate any arguments that will prove to me or to this house that under responsible government we could have a cheaper form of government. I for one could not be convinced that we should. I believe that the public monies would be wasted, speculation and dishonesty would be the order of the day. We are told by the hon. member for Yale we must have a beginning. I am aware of that fact, and for one shall assist to put off the evil day. I prefer for a time, until our population increases, to live under the present form of

government, one under which, I am proud to say, I have lived for eleven years without seeing the faults of maladministration and other evil accusations that have been hurled at it by the hon. member for Lillooet. I am aware that that hon. gentleman was himself in some subordinate position under the government; he may of his own personal knowledge, while in that capacity, be aware of some malpractice, but I defy him to point out a single instance brought before the notice of the government that did not receive the strictest investigation and in which the individual complained of, if the charges were proved, was not discharged. In conclusion, Mr. Chairman, I shall take this opportunity of expressing my appreciation of the officers generally that have carried on the government of this Colony during the eleven years that I have lived here, and I challenge any hon. gentleman to prove by the records of Her Majesty's colonies that, in any colony or dependency of the British Crown laws have been more justly administered, life and property better protected, or the affairs of the colony carried on with greater rectitude than in the one in which we are now living. Holding these views, I must decline to support either of the recommendations before the committee.

Hon. MR. ALSTON—Sir, I am in favor of responsible government, but not the form that has been discussed in this House at so great a length. I believe all representative governments are responsible. The hon. and learned member for Victoria city has quoted John Stuart Mill. I believe, Sir, that the word responsible government does not occur in his book; he shows that the form applicable to one country will not do for another. We have heard enough in this Council to make me believe that the people do not want responsible government; I believe that a representative form of government is the only form that will suit this Colony. It has been well shown by the hon. Mr. Wood, that from the difficulty of getting districts represented, this Colony is not adapted for purely representative institutions. I think it most desirable that Executive members should have seats in this Council, and I think that a partially elective House would best represent the interests of the entire community. The American form of government is in a certain sense responsible, Executive officers being elected for a term of four years. England possesses a different form, and Canada differs again from England. The colony from which Governor Musgrave came is the last that has received responsible government; thus we may fairly trust to His Excellency to judge for us as to the probability of its working well here. The smallest colony possessing responsible government is Prince Edward's Island, and we who do not possess a population one-twelfth the size of that of Newfoundland, are asking for responsible government. The hon. and learned member for Victoria city (Mr. Drake), who seems to uphold respon-

sible government against his own convictions, admits that all power would be held in Victoria, and he says that there would be no harm in such centralization. I think, Sir, that he has read John Stuart Mill to little purpose if such be his convictions.

Hon. MR. HUMPHREYS—Sir, I am more impressed than ever with the absolute need of responsible government. I think the hon. Chief Commissioner particularly, and the hon. member for Victoria city, have proved conclusively that two-thirds of the people representing property are determined to have responsible government. The hon. member for the city told us the people were not in favor of responsible government, and in the same sentence he tells us that if Confederation were set before the people with responsible government mixed up with it the people would take responsible government to the exclusion of material interests. I have said and say again I am in favor of Confederation, and I earnestly hope that it will be for the benefit of the colony. I sometimes think that some hon. members at the other end of the House intend to defeat Confederation. I may be called an extremist—an agitator; I admit I am. I desire to see the people having a share in the government, instead of being under a despotism, or what is equivalent to it. I have been in this Colony nearly eleven years; I am satisfied that the people want responsible government. Hon. members say there are different forms of responsible government; admitted. I am not sure that it would be advisable to introduce any one system in its entirety here. Hon. members have been quoting writers upon this subject; I will quote Lord Macaulay, he says "Government, like a good coat, is fit for the body for which it is made." I say if we cannot live on responsible government, we cannot live on irresponsible government. I do not know what is shadowed forth in His Excellency's speech; I confess I cannot understand it. If the Governor had promised a two-thirds elective House, with heads of departments sitting to give information without voting, then I think the question of responsible government would never have been considered. I ask hon. members to endeavor to approximate; and if they cannot agree to full responsible government, then to give us as liberal a form as they can. If you withhold responsible government you lose Confederation.

Hon. MR. ROBSON—Mr. Chairman, in rising to reply to what has fallen from hon. gentlemen in opposition to responsible government, I crave the kind indulgence of this House; and should I, in the course of my remarks, appear unduly harsh or unkind, I beg hon. gentlemen to attribute it to earnestness in advocating a great cause, rather than to a desire to wound the feelings of any. The hon. member for Cariboo, who is also a member of the Executive, made a very convenient, yet, to my mind, singularly ineffective reply to one point in my speech of Friday. I had, or fancied I



had, with considerable force and elaborateness, pointed out the difficulties that might naturally be presumed to lie in the way of obtaining responsible government under the new constitution proposed to be conferred upon this colony; and the only answer is that the Organic Act makes the necessary provision. I was as well aware of the provision made in that Act before the hon. gentleman spoke as after; but no attempt has been made to meet the difficulties I suggested. The hon. gentleman, with that facetiousness, poetry and ready wit for which he is so justly celebrated, proceeded to point out the undesirableness of responsible government in this colony. Under it, he told us, Cabinets would be too versatile. In fact, he described the working of such institutions as a sort of dissolving views, a thimble-rigging operation, now you see it, now you don't, in such quick succession would the changes be rung. The Chief Commissioner would, it appeared from his description, be much like Lincoln's celebrated flea. Now, sir, where did the hon. gentleman acquire his experience of the working of responsible government? Was it not in Canada? What do we find to be the experience of that country? Certainly it does not in any way warrant the conclusions arrived at by my hon. friend. On the contrary, we find a change of Ministry to be of very rare occurrence. The present Premier of Canada has, with one unimportant intermission, been at the head of the government for some 12 or 14 years! As I stated on a former occasion, the people of British Columbia are not politicians; nor are they fond of change. They are naturally conservative. Give them a people's government, and in no part of Her Majesty's Colonial Empire will a less versatile, a more conservative and loyal people be found. The hon. gentleman said responsible government would blow the chaff into this House. Now, although I listened with pleasure, as I always do, to that gentleman's oratory and humor, I could not but experience a feeling of regret to find him on the wrong side of a great question; making a false step. It is sad to witness the early mistakes of a young man of such talents, ambition and promise; and when I hear such words coming from my hon. friend, I begin to fear that the bright future, the brilliant political career I had marked out for him may never be realized. Sir, a certain proportion of chaff may be blown into this House, under responsible government, as is the case now; but, depend upon it, under the form of government we seek, the chaff would quickly be blown out at the back door before the breath of public opinion. The people can always discriminate between wheat and chaff, and responsible government supplies the most effective winnowing-fan with which to separate the two. We were reminded by that hon. gentleman that responsible government had its failures as well as its successes, and he referred to Victoria, Australia, and to Jamaica, as instances of

failure. Now, I cannot but think the hon. gentleman has been singularly unfortunate in going to these colonies to prove his proposition. The former ranks amongst the most flourishing, progressive and wealthy of all Her Majesty's Colonial Possessions. Doubtless very grave political difficulties were encountered, and many mistakes characterised the earlier working of responsible government in that fine colony; but it would be most unfair to charge all these to the possession of such institutions. Nay, most of them had their origin in a different political system. As for Jamaica, hon. gentlemen must be aware that it never possessed responsible government. A mixed representative system it had; and the chief cause of failure was the absence of responsibility. It was just because those who administered the affairs of that unfortunate colony were not responsible to the people that the opposition, led by the ill-fated Gordon—a man of unquestionable ability although, perhaps, somewhat deficient in judgment—was induced finally to assume the extreme attitude which resulted so fatally. The hon. and learned Attorney General made an effort, not altogether warranted by facts, to force the advocates of responsible government into a false and disadvantageous position, in relation to the Government programme; but hon. gentlemen will recollect how anxious I was, at the beginning of this debate, to meet the views and adopt the suggestions of that hon. and learned gentleman, in respect to the particular time and mode of approaching this question. My desire to give the Government a general and strong support upon the great question of Confederation is no secret in this House; and I think I can speak with equal confidence in regard to the views and intentions of my hon. friend on my left. [The member for Yale.] But enough has already been said upon this point; and I have only to add that I utterly refuse to occupy the position in which the hon. and learned Attorney General appears desirous of placing me. That hon. gentleman was content to give the same answer to the main objection as that given all round the Government end of the table, viz, that the Organic Act provides the necessary and ready means of obtaining what we seek; and he further tells us that, inasmuch as responsible government relieves Governors of responsibility, a Governor would naturally be ready to make the concession. Such, however, is not the accustomed working of human nature. Such is not the lesson of history. The ruler hugs power as the miser does his gold, nor parts with it only as it is extorted piecemeal by the people. I am charged with having used threats—threats of blood! Now, sir, I must plead 'not guilty' to this charge. While carefully avoiding everything in the nature of threat and prediction, I asked the Government to read carefully those lessons written in blood around us, and implored them to take warning from the errors and profit by the successes of others. We were told by the hon.

and learned Attorney General that the Governor is powerless to grant what the resolution asks; but might not the same objection be raised to almost every recommendation passed in connection with Confederation? His Excellency is asking Her Majesty's Government for power to give us a new constitution. The resolution merely suggests a more liberal constitution than His Excellency proposes. There is, therefore, no weight in this objection. The hon. gentleman next tells us that the resolution implies want of confidence in the Canadian Government—that they will not listen to the cry of the people for responsible government. Now the hon. gentleman must be aware that Canada can only listen to our cry when it is heard in the particular form prescribed by the constitution. The people can only cry through the Government if it is proposed to give them under the constitution foreshadowed in His Excellency's opening message; and I have already endeavored to point out the probability that the new Government might refuse to utter a cry in that direction at the desire of the people. There is no such expression of want of confidence in the resolution. The Canadian Government could not interfere—would have no power to give us responsible government until asked by our local Government to do so. Such objections I must, therefore, regard as frivolous, and utterly unworthy of the hon. and learned Attorney General. The honorable Chief Commissioner followed with his accustomed ability, but I venture to think, without his usual discretion. That honorable gentleman set out by telling us that he quite understood it to be necessary for certain members, in order to be consistent with pen and speech outside of this House, to bring forward this subject; that it was a logical necessity, inexorable fate. Now, sir, I cannot see into that honorable gentleman's heart, any more than I can into the mysterious Executive Chamber. I will not, therefore, permit myself to impute motives to that honorable gentleman in his opposition to responsible government; but he must permit me to be the best judge of those motives which have impelled me, with some degree of reluctance, to take a stand in opposition to the government upon this question. It may appear necessary, in order to be consistent with word and pen, that I should advocate in this House great principles which I have advocated elsewhere; but it may be permitted me to say that, whether here or elsewhere, I advocate responsible government under Confederation, because I conceive it not only to be the right of the people, but their interest also. We are constantly told that we should not have mixed this question up with the terms. We have not mixed it up with the terms; but the government has mixed the terms up with it; and if there is any blame, any responsibility in this connection it must rest with the government, and not with the Opposition. The honorable gentleman tells us that it is impossible to work responsible government with a popu-

lation so scattered; and in the same breath he tells us that we have responsible government now,—that the officials are responsible to the Governor, and he to the Queen. Well, certainly this is a sort of responsibility; but it is not precisely the kind we want. The responsibility now existing takes the wrong direction. It is not responsibility to the people, but to the supreme power. In this sense the most despotic form of government in the world may be termed responsible government. The members of the government of the Czar of Russia are responsible to him, and he is responsible to The Great Ruler of all; Ergo, Russia has responsible government! The honorable gentleman must see the absurdity of his very startling proposition. He next tells us that if the people desire responsible government it is because they have been educated up to it by the Press. There is more truth than argument in this. Doubtless the Press is, in this, as in other civilized countries, the great educator of the people, especially in matters political. Have not the people of England been similarly educated up to every great political reform? Such constitutes a legitimate and important function of the Press. But the honorable gentleman goes further and tells us that if the present government is unpopular with the people the responsibility rests with the Press which has, by misrepresentation, created prejudice in the public mind. This proposition I beg most unqualifiedly to deny. The honorable gentleman has confounded cause and effect. The Press has opposed the government because it is unpopular; and the government is unpopular because it is not a people's government—because it does not possess the principle of responsibility to the people. It must be remembered that the Press subsists on popular favor; and in order to subsist it must oppose an unpopular form of government. The Press of this colony has acted rather as the exponent than the moulder and leader of public opinion in its opposition to the present form of government. As I have repeatedly said, it is not the officials that are unpopular, so much as the system under which they administer. No officials can be popular under such a system. It places them in a false position. The Press is, therefore, not to blame; it is the faithful exponent of public opinion. The honorable gentleman on my left [Mr. Holbrook] dissents from this view. It is the habit of some gentlemen to affect to sneer at the Press of this colony. They admit that the Press of England is all I claim for it; but they allude sneeringly to the Press of this colony. Now, I am free to admit that the leading journal of this colony would lose by a comparison with the leading journal of England. It is smaller, and, perhaps, less ability is displayed in its editorial columns. But would not such a comparison be unfair? Apply this rule to the other institutions of the colony, and what would be the result? Taking the Press of this colony with all its imperfections, and I boldly assert that it will



compare favorably with that of any other country of like age and population. That is the way to institute the comparison; and it is the only true way. When I hear honorable gentlemen indulging in sneers at the Press I invariably arrive at one conclusion; and I will not tell you what that conclusion is. It will not be necessary for me to again allude to the improper use made of what I said about the horny-handed class, especially as the hon. Mr. Walkem fully vindicated me. One more point and I have done with the hon. the Chief Commissioner. That gentleman repeated the now stereotyped argument that the Dominion Government, being based on liberal institutions, would not withhold responsible government, if desired by the people of British Columbia. That argument has been so often met that I was surprised to hear it repeated by that honorable gentleman. Need I say, for the twentieth time, that it is not the prerogative of the Canadian Government to give, unless asked by our local government, and that our local government will, from its organic nature, be averse to asking anything of the kind? Surely I am entitled to regard the constant iteration of those exploded arguments as evidence of the weakness of the government cause. Passing to the speech of the honorable Mr. Walkem, my task is an easy one; for although that honorable gentleman spoke with his accustomed eloquence and agreeableness of word and manner, all must have felt that his effort had about it an air of special pleading in a bad cause. The principal objection that gentleman brought against the position I took on Friday was that responsible government is not a principle, but a form. Now I think it may be regarded as either or both, and I am not disposed to quarrel about mere words. What I contend for is responsible government. That honorable gentleman tells us that Canada did not get responsible government till her population reached about two millions. Now, while that gentleman is greatly astray in his figures, I cannot discover in his facts any evidence in support of the proposition he wishes to establish. They may prove that responsible government was long wrongfully withheld from British Columbia. I now come to my honorable friend the senior member for Victoria city. That honorable gentleman started out by telling us that he intended to support the government scheme, and to support it strongly; but he added that he would not say much about responsible government. Would that he had adhered to the latter resolution. It was but natural that, feeling himself on the wrong side of a great principle, he should be disposed to say little. But, unfortunately for himself he said much, a great deal too much. He said some things which it would have been much better to have left unsaid. He told us that government for, by and from the people means government for, by and with the politicians. But he does not stop there. He tells this House that the advocates of responsible government will be willing to surrender all the other conditions, in

order to obtain that form of government as a means of securing office, power, pickings! Now, sir, let us look at the political history and position of the honorable gentleman who presumes with so much boldness to judge of other people's motives. I recollect when, some two years ago, that honorable gentleman was the most ardent of all Confederationists, when he desired to rush into an unconditional and blind union, when he urged the then Governor to negotiate union by telegraph. At that time I was doubtful about the policy of IMMEDIATE union, regarding such a step as somewhat premature and unreal, so long as the immense intervening territory remained an unorganized and unopen waste. Holding these views, I proposed to strike the word 'immediate' out of the resolution which had been moved by the honorable Mr. DeCosmos; but so enthusiastic, so fanatical was the honorable the senior member for Victoria City that he longed for a stronger word than 'immediate.' Subsequently we saw that honorable gentleman the most ultra, the most rabid Anti-Confederate. We saw him opposing it in every way, both in the House and out of it, denouncing Canada as a most undesirable connection. Now, what do we see? We see the Anti-Confederate Lion rampant suddenly metamorphosed into the Canadian Lamb passant, with his longing eyes fixed on Ottawa! Such has been the magic influence of the mysterious Executive Chamber. I do not, for one, regret the transformation; but I do object to that gentleman turning round so suddenly and denouncing the motives by which others are actuated. Does not that honorable gentleman live in a 'glass house' in that sense which peculiarly disentitles him to throw stones? Is not he guilty of measuring other people's corn in his own bushel? Did not he cast all this political principles(!) to the winds and bolt in at the very first opening to place and power that presented itself? And who knows but there may be at this moment a mission to Ottawa dangling temptingly before his eager eyes? Is this the man who is entitled to turn round and, looking down from his pinnacle of temporary power, judge others? Strutting his hour of brief authority, he taunts us with seeking responsible government as a stepping-stone to power and pickings. I hurl back, with scorn and contempt, the accusation in his teeth! To pass, however, to the so-called arguments put forward by that honorable gentleman, he tells us that the resolution asks for a government like that of Ontario,—that we should require 40 or 50 members. Now, sir, it is difficult to give him credit for sincerity, as every honorable member must see that the resolution asks nothing of the kind. It asks for a constitution based upon the principle of responsible government as existing in Ontario. That honorable gentleman has attempted to make me inconsistent with myself in saying that we shall be under the heel of Canada without responsible government, and that Canada desires we should have such institutions.

Now, I see nothing inconsistent in this. Canada does desire that the people of British Columbia should possess as full powers of managing their own local affairs as the people of the other Provinces possess; but Canada will have no power to grant these institutions until asked to do so in a constitutional way through and by our local government; and the weight of my objection lies in the reasonable belief that, however desirous the people may be, the local government will be naturally averse to a change calculated to lessen its power, and weaken the tenure by which its members hold office. Again, we are told that the Governor would not be disposed to withhold institutions which would relieve him of responsibility. However plausible this proposition may appear in theory, it is scarcely borne out by experience. As I have already stated in reply to the honorable and learned Attorney General, history presents rulers in a different light. We are asked what measures of importance have been introduced that have not been introduced by the government? By this the honorable gentleman wishes, I presume, to convey the idea that the government so fully meets the wants of the people as to leave nothing for representative members to do. In what singular contrast is this with his utterances during past sessions. Here again we have the kindly bleating of the docile Confederation Lamb instead of the terrific roar of the anti-confederate lion of the past. Verily, the mysterious influence of the Executive Chamber must be potent. The honorable gentleman tells us that if we couple the question of responsible Government with the conditions of union, the people will be willing to accept poorer terms in their eagerness to obtain it. Surely, if language means anything, this is an inadvertent admission of what the honorable gentleman has been so stoutly denying, viz: that the people desire responsible Government. Leaving the honorable gentleman to the lashings of his own conscience and to the seductive influences of the mysterious Executive Chamber, we next come to deal with the Hon. the Registrar of Titles. The Hon. Mr. Alston announces himself in favor of responsible Government, but not that kind that would make the heads of Departments go in and out. He holds all representative Government to be responsible Government. The honorable gentleman may be entitled to hold a theory peculiarly his own; but it is scarcely the fitting time to announce personal theories. We are now dealing with the question of responsible Government, as understood by political economists, not as understood by the honorable gentleman who has just propounded a political paradox. He has been reading J. S. Mill and he tells us that writer never mentions responsible Government. I have not read Mill's theory, but I have read enough to know that he goes even farther than I am prepared to go in the direction of responsibility. We have next the honorable gentleman for Kootenay, telling this House that with all his experience

in the colony he never heard a man express a desire for responsible Government, and that his own constituents were distinctly opposed to it. Now, so far as that honorable gentleman's constituents are concerned, I am prepared to think that his opportunities of learning their views upon that or any other subject have scarcely been such as to entitle him to express a very positive opinion; but when he tells this House that in all his experience in this colony he has never heard a desire for responsible Government expressed, I can only say that I am surprised. The honorable gentleman cannot but know, if he has not turned a deaf ear to politics altogether, that the question of responsible Government has been a prominent issue at more than one election, and that it has been used as one of the chief reasons for Confederation from one end of the colony to the other. But, sir, I fear I have already wearied the House. Permit me to say, however, that throughout this protracted debate the efforts from the Government side of the House have been characterized by a want of argument and by a sort of special pleading, a begging of the question almost painful to listen to. Every effort has been made to raise false issues and to misconstrue remarks coming from this side of the House, and a most unfair attempt has been made to place the whole question in a false and disadvantageous position; yet, this is scarcely surprising. It was not to be expected that the unrepresentative members would approve the measure. I feel, however, quite indifferent about their votes. We have a large majority of the representative members with us, and their vote must virtually carry the measure. The great proposition I desire to impress upon honorable members is this: The colony is about to become a province of the Dominion of Canada. No union can be equitable and just which does not give this colony equal political power—equal control over their own local affairs with that possessed by the people of the provinces with which it is proposed to unite. I care not how good the other conditions may be, if the people of British Columbia are placed in a false political position they will not be content, and the inauguration of such a union will only prove the beginning of new political discontent and agitation. Mistakes will doubtless result from the first workings of responsible Government, but these mistakes were better made now than years hence, when the consequences might be more serious. The period of lisping, stammering infancy must be passed. Surely, it is better to pass it now, while the political questions are few and simple and the interests comparatively small, than to wait for great development. Almost every speaker on the Government side has accused me of want of confidence in the Dominion Government. I have no want of confidence in that Government. I know the men who compose it too well for that. I know them as honorable, liberal, large minded statesmen. But it is our local Government under the new Constitution proposed in terms so



vague in his Excellency's opening message that I doubt. The Canadian Government will possess no Constitutional power to grant us political relief until asked to do so by our local Government; and it is the hesitation, the disinclination of the local government to move in that direction which I dread. I would again warn the Government against endangering the whole scheme by having it submitted to the people unaccompanied by "Responsible Government."

Hon. DR. CARRALL—Sir: On Friday last the honorable member for New Westminster spoke at some length upon this subject, and I replied as best I could, and it is in accordance with the eternal fitness of things that I would make a very few remarks. It is one of those happy things in nature that where the poison is there is the antidote always near. (Laughter.) I propose to give the antidote. I laid down two principles: First, that the Government did not believe that responsible government as it is maintained in England was applicable to this colony. I hold to that. I maintain that no one has controverted this proposition; no one has proved that it could be adapted to the requirements of this Colony, there has been burning eloquence and all that sort of thing, but no proof. But I say, sir, that even now there is a measure of responsibility in this Government. I am responsible to my constituents, and if there is such an overwhelming force in favor of responsible government can I ever return here. The utmost that the honorable member for New Westminster has proved is, that under confederation it would take a great deal of time and much agitation to get responsible government, a minimum of five years, a maximum of ten years, and that as it would take that time it was better that we should have it at once. I say if one proposition is correct the other must be incorrect. If there is such an overwhelming desire on the part of the people for it, they will get it. If the majority even are in favor of responsible Government there is no constitutional power to prevent their getting it. There is no desire on the part of the Government to withhold it. I say it is the want of responsibility of the Executive that has rendered them unpopular, but the people have never been asked to contrast the present form of government with that shadowed out by his Excellency, and I say that heads of Departments under that system will be to a certain extent responsible. The present system is bad, but the officers are good. I say that the requirements of the colony will be met by the system proposed by his Excellency. If it is not, then let the people say so, and get responsible government. The honorable member for New Westminster allows that it is only a question of time under the Organic Act. If it should take five years, then my point is that there is not such a strong desire for it is proved. I say, and I say again, that in Jamaica they could not work responsible government or even representative institutions, and in Victoria it remains to this day

a monument of stupidity and mismanagement. With regard to the assertion of the honorable member for New Westminster, I say that if speaking and voting from conviction are false steps and a bar to advancement in political life, then I don't want to advance a step further in that direction. I say that responsible government has not been made a distinct issue in elections. The government of the people was to be one of the consequences of confederation; I hope we shall get a people's government before it. The present Executive Council is one-third unofficial; the work they have done has brought a shapeless, formless phantom into one harmonious whole, and they propose to precede confederation with a form of government which will enable the people to decide what form of government they will have. I coincide with the Hon. Chief Commissioner of Lands and Works, that it was not necessary to introduce this subject into the Confederation Resolution. I am sorry that it was brought up at all in connection with our scheme.

Hon. MR. HELMCKEN—Sir: I wish to say in reply to the remarks of the honorable member for New Westminster, that I support the government from conviction. I do not shirk my responsibility. I said that the one great thing that the supporters of responsible government are afraid of is that it shall be set alongside of representative government. Honorable members may find when the resolutions return from Canada that I have still something to say upon them.

The recommendation of Hon. Mr. Humphreys was put by the Chair and on division was lost.

The recommendation of Hon. Mr. Robson was put by the Chair and on division was lost.

Clause fifteen then passed as read.

The Hon. Attorney General introduced clause sixteen:

16. The provisions in "The British North American Act, 1867," shall (except those parts thereof which are in terms made or by reasonable intentment may be held to be specially applicable to and only affect one and not the whole of the provinces now comprising the Dominion, and except so far as the same may be varied by this resolution) be applicable to British Columbia in the same way and to the like extent as they apply to the other provinces of the Dominion, and as if the Colony of British Columbia had been one of the provinces originally united by the said act.

Hon. MR. HELMCKEN and Hon. MR. DRAKE objected to this clause on the ground that its passing would kill the notices already on the paper.

The Hon. Attorney General gave an assurance that the resolutions of which notice had been given should be discharged, and the opposition was withdrawn.

Clause sixteen passed as read.

With reference to defences:—

A That it shall be an understanding with the Dominion, that their influence will be used to the fullest extent to procure the continued maintenance of the Naval Station at Esquimalt.

B Encouragement to be given to develop the efficiency and organization of the Volunteer force in British Columbia.

On clause A being read by the Chairman, Hon. Mr. Holbrook objected to Esquimalt being named on the ground that it was only fair to New Westminster that one gunboat should be stationed there.

Hon. ATTORNEY GENERAL—I should have been very sorry to have this clause inserted if I thought it would give us only two or three gunboats.

Hon. COLONIAL SECRETARY (Mr. Hankin)—Because the Naval Station is at Esquimalt, it does not follow that every ship will remain there. The commanding officer can send ships where he pleases.

Clause A passed as read.

Hon. Mr. Humphreys asked what "encouragement" meant in clause B.

Hon. ATTORNEY GENERAL—At present there is no means of ascertaining what encouragement can be given; I suppose arms and money.

Clause B passed as read.

Hon. Mr. DeCosmos—Mr. Chairman, I gave notice of my intention to bring up a clause with regard to provision being made to protect the agricultural produce of this colony. It has been said by the hon. Executive member for Victoria City that this differential tariff is quite a new thing to me. If he will take the trouble to refer to the COLONIST of the 15th May, 1868, he will find that in article written by myself, I touched on this matter; it is not new to me. I am thoroughly persuaded that the District which I represent will be a unit against Confederation without a provision to keep up protection. From Comox to Sooke the opinion on this point is as that of one man, and I believe I may say that it is the same thing as regards the whole of the agricultural districts on the Mainland, from Soda Creek to Kamloops. I hold with respect to protection that when farmers shall be able to produce farm produce in sufficient quantity to enable them to reduce their prices as low as the prices obtained by the farmers of Oregon and Washington Territory, then protection is not essential, for this great and sufficient reason that if we can produce as good an article at home as we can get abroad, which we can put down at the same price, the cost of transport will be a sufficient protection. Our farmers will have a natural protection. With regard to manufactures, I am one of those who believe that our manufactures ought to be protected. If we go into public works we must have wagons and machinery, and the wagon-builders should have protection; then again, farming implements should be made in the colony,

and encouragement should be given to the manufacturer of these things. Again, there are the bootmaker and tailor, and the soap maker and others, even the brewer, for whom we require protection. I ask from the Executive the insertion of this principle: "That British Columbia shall be entitled to levy and collect any tax or taxes on the sales of foreign produce and manufactures entered for home consumption, equal in amount to the duties of Customs now levied and collected on the same under the 'Customs Ordinance, 1867,' provided, always, that British Columbia shall not be entitled to levy and collect any such tax or taxes as aforesaid, if the duties of Customs of Canada extended and applied to British Columbia at the time of and after union, on such foreign produce and manufactures shall be as high as the duties of Customs now levied and collected on the same under the 'Customs Ordinance, 1867,' and provided, always, that such foreign produce and manufactures shall be construed to mean no more and none other than such foreign produce and manufactures as may enter into competition with the produce and manufactures of British Columbia." I don't care how it is put in, our manufactures would come into competition with goods from Canada. That is a natural evil which we cannot avoid. There will be other advantages arising out of Confederation which will counterbalance this.

Hon. DR. HELMCKEN—I have nothing to do with the hon. gentleman's newspaper articles. I can only say that differential duties are contrary to the views of Her Majesty's Government.

Hon. MR. DRAKE—The hon. member's explanation is different from the clause itself. I suppose from the explanation that it is intended to apply to all foreign produce and manufactures imported. I think it will be better that I should move my motion as an amendment to his, so as to confine the protection to agricultural produce.

Hon. MR. DeCosmos—I don't expect any resolution of mine to pass. If it should pass I shall be quite surprised; but as I hold this to be the very keystone, and of more consequence than responsible government, I deem it my duty to bring it forward. But to continue the protection to agricultural produce will not reach the issue. It would not touch our rude manufactures.

Hon. DR. HELMCKEN—This is left an open question by the Government, I wish it to be distinctly understood that this question of the agriculture of the country is an open question. I think I shall be found on the side of these hon. gentlemen. I think with the hon. member for Victoria District that this is the most important question comprised in these resolutions. If the terms do not contain a clause giving protection to agricultural interests, I will answer for it there will be no Confederation.

Hon. CHIEF COMMISSIONER—I would ask the hon. member to define how far this is left an open question?



Hon. DR. HELMCKEN—I mean that every member of the Government is free to vote as he pleases upon this question of encouragement to the agricultural interests of the Colony.

Hon. MR. WOOD—Then it is free for official members to vote these recommendations?

Hon. DR. HELMCKEN—Certainly it is, and it is right that it should be so; for I consider, Sir, that we have come to a most important question, one that concerns our own country. Confederation must not come like an eclipse, it must not produce a darkness and then leave us to recover. I say that if these terms are left to pass as they are and return from Canada, and are passed by the people, they will produce great ills. I say that the agricultural interests are most important; when we come to manufacturing interests it is different, they have made but little progress. Manufacturers will meet with competition from Canada and the Dominion would not stand it; we cannot have protection for manufactures, but with regard to farm produce it is different. I say that the farmers could not exist without protection; you will depopulate the country by bringing Confederation without protection. I have stated that this Colony affords more inducement to people to settle than any other colony I know of, yet we do not raise sufficient stock for ourselves. Look at the statistics, \$111,447 is the value of agricultural produce—barley, flour, malt, wheat and oats—imported. Of barley there is nearly one million pounds imported, and this would take about 450 acres to grow in; of malt about 4,500 bushels, which would require ninety acres to grow in; of flour and wheat about 87,050 bushels, which would require about 2,500 acres to grow in; of oats about 2,364 bushels, which would require about sixty acres to grow in; altogether about 3,080 acres. More land must be in cultivation to produce the quantity of cereals which I have enumerated as being imported annually, and this number of acres, supposing a man to cultivate fifty acres, would give employment to 123 men; so that 123 men will save the colony \$111,477, or \$900 each, besides growing what they want for their own consumption. In relation to this it must be recollected that mills would be at work to grind, machinery would be required, and labor of other kinds would be required, such, for instance, as brewers. In addition to this comes in pigs, there were 568 of these animals imported last year, less by 28 than in the preceding year. This is an improvement, when we consider that the amount of bacon and ham imported is 61,740 pounds less than last year. To make this bacon about 500 hogs are required; so you will see that nearly the whole amount of bacon is made by and from foreign hogs. Take butter—82,000 pounds or forty tons were imported last year. It will take 400 more cows yielding 200 pounds each per annum to produce this amount, and it would save the colony \$31,538 per annum. One

thousand seven hundred head of beef cattle would save annually \$96,949, but it presupposes 6,800 more cows at least. Now then to supply ourselves with beef and mutton, and cheese, 3,000 more cows are required; but it takes four years to produce beef. We import 7,000 sheep. Surely, no one will tell us that we have no room for 7,000 sheep or 3,000 cows. Why, it only means 20,000 acres, or thirty-six miles of land; six miles will supply the cereals, thirty-six miles in all. Why the flats at the Fraser would yield it all. The cattle business certainly requires capital, but the capital will produce great results, and recollect the good it would do the country, the amount of labor employed and land cultivated for the purpose; wool hides and bones for house use or export. What I wish to impress upon you, sir, is the profit that might be derived from the introduction of a couple hundred families. What an immense loss the colony would sustain if this were thrown open to the Americans. What a magnificent field for immigration, particularly when we consider how much more of agriculture produce will be required when public works are carried on. The market is good now; how much better it would be then. I think it would be doing those farmers who had commenced farming under a protective tariff, a great injustice to withdraw protection from them now. We must have an agricultural population. If Confederation comes and brings the Canadian tariff we destroy the agricultural interests altogether and the country will become a wilderness. Confederation without these terms will not, in my opinion, be accepted. Leave them out and Confederation will most assuredly fail. Farmers in the upper country have a natural protection from the difficulty of transport. The day will come, and pretty quickly, when they will raise more there than they have a market for. They must find an outlet, which must be where the consumers are. If the duty is not maintained how can they send their produce down. If the railway should be built, the cost of transporting goods from the interior will be diminished, and farmers of the Upper Country will then find the tariff of more consequence to them than to the people of the lower country. I say Confederation will not go down without protection. The agricultural interest will prefer living in comfort with protection and without Confederation than in a perpetual struggle for livelihood under Confederation. I am in favor of protecting our farming interests, but if we had a lower scale upon some other goods, I should think it an advantage. I support protection to the agricultural interest, and the throwing open of our ports to other things. The latter part is, I fear, not an open question.

Hon. COMMISSIONER OF CUSTOMS (Mr. Hamley)—It is difficult to tell which resolution the hon. member is speaking in favor of. It is quite true that protection may be too little on some things and too much on others; for instance, I consider the duty on

horses too high. I will tell hon. gentlemen that a revision of the tariff was considered last year by a committee appointed by the late governor, and a majority of that committee, who were all businessmen, reported in favor of lowering the duties on agricultural produce, and there was a special report in favor of making Victoria almost a free port.

Hon MR. DECOSMOS—That was the bogus Council, I suppose.

Hon. MR. HAMLEY—They were a committee of gentlemen whom the late Governor thought fit to appoint. I think the tariff must be altered to suit this colony, but I believe it must be left to the Canadian Parliament to alter. What will our representative members do sitting in the Canadian Parliament, except they look after our interests? There is no obstacle that I know of to there being a different tariff to suit the interests of this or any particular Province of the Dominion.

Hon. MR. HOLBROOK—There is no reason that there should be a similar tariff all over, but I think it must be altered by the Canadian Parliament.

Hon. DR. HELMCKEN—I do not think that it is necessary that one tariff should prevail all over the Dominion.

Hon. MR. HAMLEY—Not at all, not at all.

Hon. DR. HELMCKEN—But there can be no differential duties; that is forbidden by English statutes.

Hon. MR. HAMLEY—No; not by statute; by instructions.

Hon. DR. HELMCKEN—So far from leaving it to the Canadian Parliament, I say we must go in with it altered. How absurd for eight members to attempt to revise the tariff of British Columbia in the Dominion Parliament.

Hon. MR. TRUTCH—I don't see it.

Hon. MR. HAMLEY—Nor do I.

Hon. DR. HELMCKEN—Why, look how ridiculous it is to come to this House to propose any alteration in the tariff. How much more so in the Dominion Parliament, where so many would be on the other side. If at all, it must be done by ourselves. The Canadian Government must agree to it before we go into Confederation. The other interests are subsidiary to it.

On motion of hon. Mr. Ring, the debate was adjourned to Wednesday the 23rd.

### Wednesday, 23rd March, 1870.

Hon. MR. WOOD rose to resume the debate on Tariff and said: Mr. Chairman—In speaking to the motions now before the House, it will hardly be necessary for me to say that I think that this question of Tariff the most important of all that have been introduced during this debate; my object is, as I have said, to reduce to the utmost, in the event of Confederation with Canada, the chance of difference with the Dominion, my objection to Confederation being that, however much it may apparently and at first

tend to confer upon the colony material benefits—yet there is every fear of consequent reaction and disaffection. In dealing with the matter it will be necessary to see whether the subject of Tariff now before us will have the affect of raising a direct question and difference between this colony and Canada. Tariff is not simply a mode of collecting taxes, it is a system with a double object. The object of obtaining revenue, and in the obtaining of that revenue, the further object of promoting domestic and home industries by a just discrimination between the subject matter on which taxation is levied. The question of Tariff directly tends to promote or depress domestic productions, and domestic trade; consequently the chances of difference and reaction depend on whether our interests are identical with those of Canada, or whether there is a conflict. The intended future Dominion of Canada is obviously divided so far as this question is concerned into two parts, that which is to the east and that which is to the west of the Rocky Mountains, the Atlantic and Pacific portions of that Dominion, and to these several divisions there appertain distinct and several industrial interests; agricultural, manufacturing, and commercial. Let us run through in our own minds, our own, the Pacific interests, so to say, the interests in fact of this present colony. First we have the agricultural interests; this is a material interest, as I trust it always will be considered in every colony—it is an industry which a government cannot well avoid materially to assist. I don't say "protect" but "assist," and this whether agricultural produce be a staple of the colony or not. I may here remark that I use the word "staple" in what I understand to be received acceptance of the word—produce, exportable produce, raised in a colony with advantage and at a remunerative rate to the producer, and capable of being exchanged with advantage for the produce of other countries in the markets of the world. Our next material interests are our own staples, properly so-called as above defined, such for instance as the wool of Australia, gold anywhere, or fisheries, as in Newfoundland. Our particular staples are our fisheries, our forests and our minerals to say nothing of certain aptitudes for ship-building and the repairing of ships. Next, we must take trade and commerce, our local and geographical position being such as to give us some advantage in the distribution of goods, and as such is to be regarded as an element of wealth, and one of our material interests. Let us now turn to Canada; Canada has manufacturers, but not by way of staples, because she cannot under sell the old world in manufactured goods, but with a population of, I suppose, over three millions she can produce sufficient manufactures of certain descriptions for her own use. Then her staples are agriculture, produce, lumber and a certain amount of minerals, and perhaps horns and tallow. Agricultural produce



is a staple in Canada; she exports it, therefore it requires no protection; it would be no good to impose a tariff upon it. In manufactures there is such a tariff as will slightly protect manufactures, as with us we give the same turn of the market to the farmer by a slight tariff on agricultural produce. Following the common law of self-interest, British Columbia is bound to protect her own interests and Canada the same. Let us see whether or not there is a manifest tendency to protection in the Dominion Legislature. It has been stated in this debate that Canada is adverse to protection, that she wants to follow England and the old world in the direction of free trade. I say that those who make the assertion must prove it. (Hear, hear, from Mr. DeCosmos.) I say that my sources of information tend to show that it is untrue that Canada favors free trade. She desires to protect her own manufactures. Right or wrong as a political theory, new countries will be found as soon as manufactures are possible, desirous to protect their own native industries, whereas it suits old countries to have free trade. In England manufactured goods are in reality her staples. England can compete with the world in most classes of manufacturing goods, from her manifest advantages in having coal and iron in close proximity, moderately cheap labor, and established industries; to say nothing of the commercial energy of her people. Some of the writers say that America and many of the colonies of Great Britain suffer from protection. I say that suffer or not suffer, they insist upon it. I say nothing now of my convictions. I think however, that the theory of free trade goes too far. "Free Trade" is quoted as if it were a golden rule. I believe that free trade is an exceedingly elastic idea; there is no orthodoxy in it, it is not a law of physics like the law of gravitation or some obtruse and elaborate theory like Sturmi's problem or the stability of the eccentricity of the planetary orbits, to which there is no exception. It is elastic and suits one country and not another; it suits old countries and not new; it suits England for the reasons I have stated. Her manufactures are her staples. She can undersell the world. People may say that free trade is applicable equally to other places and to all classes of industries; as to this I have my own opinions. But so far as this discussion is concerned, I deal with the world as I find it. New countries desire protection. Why? No matter why—they do desire it. Dealing with protection in a moderate way I think it may be reasonably conceded that a moderate protection, in the way of customs duties at least, may be applied to staple productions and agriculture. But whether the opinion be sound or not colonial experience shows us that this is the line of argument pursued and acted on. Taking it for granted as admitted by some political writers of eminence that we may reasonably protect staples until they can support them-

selves, let us see what legitimate protection may be afforded to existing interests in this colony. Agriculture may be protected or rather fostered in numbers of ways. By facilities for the acquisition of land, by roads, by immigration of farm hands, by the admission of implements free, and by a moderate tariff on produce. Agriculture, it must be remembered, is not only the cultivation of the land; it is bound up with local interests and carries with it a local population attached to the soil. If you want population localised you must encourage agricultural interests. Besides this, it must not be lost sight of, that it is a practical remedy against poverty. If a man has certain faculties for acquiring, or being employed as a labourer on land, he never need go to the poor house—it humanises men. It is the duty of every politician to protect agricultural interests in a new country to the best of his power. Now with regard to staples, I say they may reasonably be protected and fostered in their infancy, because they are the real wealth of the nation. It is said that at first the wool interest of Australia was carried on at a loss, and for a country like this that can produce without limit fish, lumber and coals, to say nothing of gold, we must give all the facilities in our power to induce industry in these walks of life. Take the gold miner; we might give him his gold license cheap, and make the acquisition of claims easy, provide him with roads and trails and in this way we might "protect" the miner, and encourage mining interests. Fisheries, how are they to be protected? By the promotion of information as to markets for fish—by pushing those markets—by local knowledge of the haunts of fish, by cheap implements, and by cheap salt. To promote the lumber interest we might give cheap machinery so far as we can by admitting it free, and let persons acquire land easily. Shipwrights might also be legitimately protected and encouraged by making implements and materials cheap and by giving encouragement to Docks. Let us do everything to promote the interests of ships, where there are such natural inlets as ours, with coal at hand, and facilities for the importation of iron and steel for building ships, we could build cheaper than anywhere on this coast; not of course so cheaply as on the Clyde but still we might attract some shipbuilders. Now as to trade. Export trade. This is surely an item, though possibly a small item in our wealth; yet still if we export only to Puget Sound we might encourage such commerce. It is an industry and a source of wealth; it causes foreign ships to come and causes an expenditure of money in our ports; it adds to the number of merchants, drays and laborers, and increases general business; a vitality is given by it which makes it an element of wealth, it seems to have been beneficial here, and certain it is that it is estimated in this colony as a material interest. How is this export trade to be protected? Some say by

Free Port, that is to say, no customs duties; others say "reduce taxation to a minimum on goods in which there is a tangible export trade." Within these limits of what we may call moderate protection we may reasonably suppose the colonists of British Columbia to be desirous to legislate, and suppose we desire to have implements of labour and machinery and some goods cheap and free, and put ten per cent on imported agricultural produce. This is the reverse of Canadian policy—as regards machinery, I believe the Canadian tariff gives fifteen per cent on manufactured machinery at least. There is nothing to prevent the Canadian tariff from being increased. Protection may run rampant in the Dominion. You have no guarantee. I say that in these fiscal questions we are at issue as affects some of our most important elements of national wealth. There would be a conflict, not only between the tariffs of British Columbia and Canada but between the protective policy of each province. How is this cause of discontent and conflict of interest to be removed? Why, by a British Columbia tariff for British Columbia. This place has no commercial connection with Canada. Canada affords us no market. There is no frontier to cause a difficulty with custom house officers. Why not have different tariffs. In the event of reciprocity with the United States we might be compelled to sacrifice the farmer, but possibly he might be in a condition to support himself by produce for which we have some special aptitude. Assuredly we shall have discontent or worse if the tariff is made oppressive, if we have for it to suffer the extinction or the disadvantage of our own industries. I have said hastily, give us our own tariff and I am almost in favour of Confederation. I think I must take that expression of opinion back. There are so many other matters, so many points of difference between us and Canada, that under any circumstances there would be a continual struggle with the other provinces. But however this may be, if you wish not to provoke and keep up a sore question have a separate tariff. Give to Canada and Canadian interests a tariff framed to meet their wants, and give to British Columbia its own especial tariff. If the tariff of Canada is to rule I fear it will never be altered, for the feeble voice of our eight members would never be listened to in the Parliament of Ottawa, and the Canadian tariff, framed for the support and maintenance of Canadian interests, would assuredly prevail.

The Hon. CHIEF COMMISSIONER said—Sir, After the very able abstract review of the whole question of Tariff customs and taxation of the hon. gentleman who has just sat down, I will not add anything by way of dissertation. But I must recall the house to the practical consideration of the subject. I acknowledge the ability of the hon. and learned member, and quite agree with him that this is one of the most important matters connected with confederation. Then

why, it might be asked, was it not touched upon in the terms? Not because it has not been fully considered, but because the Organic Act puts it virtually out of the power of the Colony to prescribe what form of Tariff we should have under Confederation. The scheme as has been already pointed out by the Hon. Commissioner of Customs is based on the transfer of the control of our customs to Canada, therefore it is not within our province under the scheme submitted, to impose on the Dominion, or even to propose any special tariff for this Colony; but this is a matter which is left open for the consideration of this Colony on its merits, and is left open, as the hon. member for Victoria has told you, for this Council to make suggestions as to what tariff may be desirable under Confederation. I take this opportunity to set right the impression which seems to prevail as to the liberty of government members upon this question. It is not left open to us to complicate the terms by inserting any condition as to make it in fact a *SINE QUA NON*; but it is left open for this Council to suggest what tariff would be suitable for this Colony. The hon. Mr. Wood has discussed this matter on its abstract merits, as if it was in our power to dictate to Canada what tariff we should have; he has laid before this House very ably the pros and cons of tariff and free port. It is for us to consider what tariff would best suit us in or out of Confederation; but it is not allowed to us to prescribe to the Dominion what form of customs duties they shall adopt in this Colony, or in this province, as it will be. We have placed the control of the matter out of our hands, (No, no—Hons. Helmcken and Wood). Well, Sir, I believe we have; I say that view is imposed upon us by the terms, and I think it is better that it should be so; and for this reason: We, as being acquainted with the wants of the place, are best able to point out in what respect we need protection and where our interests are likely to suffer from the tariff of the Eastern Provinces. But I believe, Sir, that there are those in the Dominion whose larger experience and mature views will render them much better able than us to supply such remedy as will be most beneficial. I am perfectly willing to explain my views on the subject of tariff and free port in the abstract, and the government invite the freest discussion on the point both as regards protection to agriculture and manufactures, and free port. But I believe it will be better for the Colony to leave the decision and the remedy for the evils to those who will have the care of this province as well as the Eastern provinces. I think it will be to the interest of statesmen in the Dominion to treat this Colony well. Instead of feeling any want of confidence in those statesmen, I feel sure that every possible measure to promote the interests of this Colony will be well considered. They are in a better position to decide what will be most beneficial to this Colony even in regard to tariff. I would rather hear more opinions



expressed before I offer a suggestion; it is my intention to offer a resolution in general terms, so as to suggest to the Dominion Government that our agricultural interests must be protected and that certain things are required, and to ask the Dominion for such special provisions, in regard to tariff as we think we require. We are not in a position, after having endorsed the scheme of the Government, and after having handed over the sole control of the customs to Canada, to prescribe what tariff we shall have, or to impose conditions as to our local tariff.

Hon. MR. ROBSON—Mr. Chairman, while I consider the question of tariff one of very great importance, it does not appear to me that it necessarily forms any part of the terms. It is, in my opinion, futile to imagine that we shall obtain power, under Confederation, to frame and regulate our own tariff. The customs tariff is essentially a federal measure, and the Dominion Government cannot very well permit a province to make its own tariff. To do so would, in my opinion, be to admit a principle which would ultimately break up the whole Confederation. If such a concession were made to British Columbia every other province in the Dominion would forthwith clamor for it. The Dominion tariff is of necessity a federal matter, to be dealt with by the Federal Parliament, and it is unreasonable to expect that such an exception will be made in our favor. The customs tariff is the main source of federal revenue; and if any province were permitted to tinker with it the federal revenue would indeed be precarious. History does not encourage us to hope for such a power. Taking the United States which, in this respect, presents conditions not dissimilar to those of the Dominion, we find that the customs tariff has ever been a federal question. To no state or territory has it been conceded to deal with its own tariff. If the strongest reasons had not existed for this, we should certainly have found exceptions made in favor of Pacific States and territories. Hon. members will recollect the bitter complaints made in earlier times on this coast against federal tariffs; yet the people, while complaining, were never foolish enough to claim or expect the right to regulate their own tariff. They knew perfectly well that such a power was wholly incompatible with union. It is as well that we should not cling to any such hope as that of being permitted to make and regulate our own tariff under Confederation. I quite concur with the hon. the Chief Commissioner in the view that, notwithstanding the difference in existing conditions on this side of the continent and on the Atlantic side of it, there are many questions even of tariff which would be more successfully dealt with at Ottawa, and that our representatives would be listened to and would have their due weight upon such questions. Probably through their influence the tariff would, in some respects, be made more conformable to our circumstances and interests; but the Dominion tariff must be altered and main-

tained by the Federal Parliament and not by any provincial authority. We occupy a very exceptional position and shall do so for years, in regard to such questions; and this might justify us in asserting that the tariff of Canada, as a whole, is not applicable to British Columbia at present. But, Sir, permit me to say that this question, like most others, has two sides to it, and has not been approached with that fairness and candor which its great importance demands. We are very apt to estimate protection above its real value—to forget the price we pay for it. Even our farmers sometimes pay more for protection than it is in reality worth to them. Under free trade the products of this part of the Colony commanded a much more ready market and higher prices than they do now after three years of protection. I am willing to admit that a few farmers have thriven, partly, perhaps, on protection, but partly, too, I am apt to think, at the expense of other classes and other interests in the Colony. Let us remember that protection is not an unmixed good and that it sometimes costs more than it is really worth. It should also be remembered that the importance of protection is somewhat localized in its application. Nature has given ample protection to the interior of the Colony; and it is, in reality, only on this island and the Lower Fraser that artificial protection can be demanded. I venture to think that there is a great future before Vancouver Island; but I do not believe that it will ever owe its greatness to agricultural development. I believe that its commercial, maritime, mineral and manufacturing industries will far outweigh its farming interests, and I do not think, therefore, that we would be justified in refusing Confederation upon fair and equitable terms, simply because we could not have power to regulate the customs tariff. I regret that I am unable to agree with any one of the recommendations now before the committee. The wisest course, in my opinion, will be to ask the Dominion Government to withhold the application of the federal tariff of customs to British Columbia for a fixed period, say, until railway communication shall have been established through the Dominion to the Pacific. Until that takes place British Columbia must continue to occupy a position so isolated and so exceptional as to render the general tariff, however well adapted to the Provinces to the Eastward of the Rocky Mountains, scarcely suited to us. But with the opening of continuous railway communication these exceptional conditions will for the most part disappear. Look, for instance, at California. What a complete revolution the railway has wrought in the condition of that State. The moment the railway was opened California was no longer separated from the great commercial centres of the Eastern States by thousands of miles of sedge-bush and desert. It was practically set down alongside of them; or, to use the words of another, time and space were annihilated, and California became, for the first time, a fitting subject

of a common tariff framed at Washington, and enforced throughout the widespread Union. Similar results will be realized in our own case. Upon the opening of the Canadian Pacific Railway British Columbia will practically be set down alongside of the Atlantic Provinces. We get over all constitutional difficulties by approaching the subject in this way. I do not say that the Dominion Government will assent to the proposition to postpone the application of their tariff to this colony until railway communication shall have been established; but we will approach them with a much greater show of reason and success in this way than in the other. I shall, therefore, propose an amendment or a recommendation, asking that the customs tariff of the Dominion be not extended over the colony of British Columbia until railway communication therewith shall have been established. Should this be agreed to on the part of the Canadian Government, it would then become our duty, upon entering the Dominion, to remodel our tariff with a view to protecting local industries, on the one hand, and building up our commercial and maritime interests, on the other. Canada might, possibly, sacrifice a little revenue in the first instance, but it would come back to her a hundred fold in the greatly enlarged prosperity certain to follow. In this way, also would be presented a living recognition of the necessity for railway communication, if not an incentive for the speedy consummation of that great desideratum. This course which I propose will more fully meet the local necessities of the country, while it will be more acceptable to the people, and, I feel assured, more likely to meet with the concurrence of the authorities at Ottawa. It possesses the advantages of accomplishing more good than can possibly be attained in the way proposed either by the hon. member for Victoria District or that proposed by another hon. member, and, at the same time of steering clear of constitutional difficulties.

Hon. MR. DECOSMOS—Sir, we have heard some very good and eloquent speeches. I intend to say a few words, and will begin with first principles: When the Confederation Delegates first met, they proposed to adopt a tariff similar to that of the United States—that the Federal Government alone should have the right to impose customs duties, that there should be no subsidies, and that each Province should raise its own revenue by direct taxation; but it was found that local governments were not favorable to direct taxation. At the Conference at Westminster it was at first proposed to give local legislatures power to make laws and impose direct taxation, but when the Organic Act was prepared that part was dropped out. I have desired to harmonize with the Organic Act; whatever we may do we should harmonize with the Organic Act; by so doing we shall meet with less objections at Ottawa. In looking at this question I may come to the conclusion that there is a possibility for the local government to raise taxes, but if it was referred to the Privy Council they

might say it clashed. I will illustrate my meaning. I think the legislature of Ontario voted an additional sum to one of the judges; the Privy Council said it was unconstitutional to do so. So it might be if the local government imposed a tax upon foreign produce and manufactures. But we must not clash with the Dominion Government. In case the Dominion enacted customs laws lower than our own we would have the privilege to put direct taxes on those articles so as to give protection to them. Turning to the Year Book, I find that in New Brunswick the export dues on lumber amount to \$70,000. This is an export revenue for a source of revenue. If the government of New Brunswick was able to except this item from the operation of the Dominion tariff why should we not be able to get the same sort of difference. The Canadian revenue will not suffer, every article will have to pay the Canadian tariff, and Canada will benefit by any prosperity that we enjoy.

Hon. DR. CARRALL—For how long do you propose to suspend the operation of the Dominion tariff?

Hon. MR. DECOSMOS—I have said indefinitely—possibly for ten or twelve years—we may have the railway completed by that time. The hon. Mr. Wood put the question properly. The tariff is a thing that is changeable, it rises and falls. Suppose that Canada has to raise six millions for a guarantee for the railway, they might have to raise the tariff. I think the tariff will probably rise for a long time. But this is aside the issue. My object in making this proposition is to prevent clashing between our local government and the Dominion. I include produce in my recommendation, which means stock, cereals, and vegetables. If a provision of that sort were added we would be in a position to get a certain degree of protection, and the largest interest, that is the agricultural interest, will be satisfied. But I maintain that beyond this we ought to protect certain rude manufactures; and in going into the Dominion we should go in with as little friction as possible; there must be some friction, but we must keep things as smooth as possible. There will be, as I have said before, a revolution in labor and value. Now, we do not want too much protection. Let our agricultural interests be satisfied, and if those engaged in rude manufactures are protected the people will be satisfied. There are also a class engaged in trade who believe in protection; you will find then the agricultural interest, the manufacturing interest, and believers in protection, who will form a strong band of opponents to Confederation. Take away this subject of friction and you have the whole thing easier; if they are not considered there will be opposition before Confederation, and more after. If hon. members desire to keep up a feeling of loyalty towards Canada after Confederation, they will protect those interests. With respect to the hon. member for New Westminster, his argument is no stronger than his weakest point, which is, [Hon. Dr. Helm-



cken—His resolution]. Well, perhaps this is the weak point; he admits the whole point, I do not intend to follow the hon. member. I ask hon. members to consider this question so as to consider industries and manufactures so that the union may be lasting. I hope both sides will unite heartily in shaping our institutions with this end in view.

Hon. MR. RING—Mr. Chairman, I only desire to drop a few hints. I say that the Organic Act is wholly inapplicable to this colony. Does the hon. member for New Westminster mean to hand us over under this Organic Act to swell the coffers of the Dominion? I hail any approach to free trade; I believe in it; free trade should have as free a course as the wind. Now, sir, with regard to what has been said about protection to commerce; there are natural and artificial protections. I am for protecting the farmer by natural protections. Any attempt to shut out the surplus produce of another country must fail. The attempts to protect farmers by imposing a tax on flour and such articles is a mistake. Any protection beyond harbor and pilot dues is a vicious system. Then, say others, free port is abolished, would you go back to direct taxation. I say, how can we ascertain what the people can pay by taxing income and property. The revenue would be smaller, but it is now fictitious. We must curtail expenditure—and having done so I would abolish customs altogether as a source of revenue. I agree entirely with the proposition of the hon. member of New Westminster that the tariff of the Dominion is a federal matter.

Hon. MR. HUMPHREYS—Mr. Chairman, I rise to support the recommendation of the honorable member for Victoria District. I have listened carefully to the lofty arguments of the Government appointees on this question. It appears to me that the mistakes which the English generally make are attributable to their reading and studying Great English writers too much instead of considering what is practically applicable to a new country. Old countries are, in this respect, very different to new. Free trade may suit England and other old countries, whilst it may act very perniciously in a new one. Even in old countries a large portion of the people whom free trade is calculated to benefit are against it. But in new countries protection is absolutely necessary. It is said by some honorable gentlemen that the farming interests in the upper country needed no greater protection than nature had given them. I can mention an instance to the contrary. Flour was imported last year from California and sold in Cariboo at prices with which the upper country farmers could not compete. There ought to be some way of protecting the up country farmers without clashing with the interests of the Dominion. I think it but just and right to protect the farmers above all other interests. I look upon this question as next to responsible government and that I regard as the most important

question in the resolutions which are before the Council; all others sink into insignificance beside these two conditions.

The Hon. COMMISSIONER OF CUSTOMS—Notwithstanding that the local legislature after Confederation may not have a right to frame its own tariff, what we hope is that the Canadian Parliament will deem it desirable for their own interests that a special tariff should be framed for this part of the Dominion. There is no law against this. It would not be a differential duty; it cannot be objected to on this ground. Differential duties are where the same articles from two different countries are charged differently. If the Canadian tariff was applied here taxation would be lessened. We must not lose sight of that fact. It would probably be lessened to the extent of \$1,000,000 a year. I have estimated the difference upon one quarter's revenue, and I believe the difference to be at least \$20,000 for the quarter. For all that, I think the tariff should be changed. A special tariff is required. I mentioned yesterday horses and cattle. I think the \$15 on a horse and \$10 on cattle would be a great hardship on this colony; it would amount to a prohibition. Last year 1,700 head of cattle were imported into this city; are we prepared for the difference that the Canadian tariff would make in this item? I think this large duty would be most objectionable. With a tariff made especially to protect the farmers, over 40,000 pounds of butter were last year imported. If the Canadian tariff of four cents a pound were applied, I do not know that much more could come in. I think that the farmers must have sold all they had. I think that advocates of protection do not apply the principles of protection to farmers of the upper country, but those of Vancouver Island and the farmers will feel the weight of the protecting tariff without receiving any of its benefits. They will not feel the difference in the duty upon butter. I think that there will be a treaty of reciprocity between the United States and Canada, and I hope this colony will participate in it. It would be a great advantage. (Hear, hear!) I think the opening of the United States markets to our lumber would more than counterbalance the loss of protection on produce; I don't care for coal, they take as much as we can supply. I would suggest that this Council should send forward to Government a recommendation that we believe special tariff desirable, nay, almost imperative. I do not believe that our eight members in the House of Commons, and four in the Senate of Ottawa, will have no weight; if so, they had better come back. What in God's name good will they do? I think the question may be safely left to the Canadian Government and our representatives at Ottawa.

Hon. DR. HELMCKEN—With the view of bringing this to a vote I will propose this recommendation: That, in the opinion of this Council it is highly desirable that the agricultural, horticultural and dairy interests of British Columbia be protected; and I do

this in order to divide the question into two parts. One honorable member wants the power of suiting the tariff to our convenience, and more than one honorable member has said that confederation must come. I deny it. There is no necessity that it should come now. If the people vote against confederation when the terms come before them, His Excellency will inform her Majesty's Government that the people don't want it.

Hon. ATTORNEY GENERAL—We have always said so.

Hon. CHIEF COMMISSIONER—I have so stated fifty times already.

Hon. DR. HELMCKEN—I am glad it is so understood. The honorable gentlemen must be very careful to make the terms suit, for if the terms don't suit the people we shall not have confederation. I say that the people have been seriously told that confederation was to be the destiny of this colony. (No! no! from Messrs. DeCosmos and Barnard.) Efforts have been made to impress on the colony that we must have confederation on any terms. I do not consider that it is necessary for us to go in under the Organic Act. We did not expect to do it. To the honorable Collector of Customs I would say, that much stress is laid upon the fact that under the Canadian tariff the people will save \$100,000; that is because the customs lose the people save. I say this does not follow. Canadian goods don't come here now because they cannot compete. The only reason they will be used is they will come in free, while others pay tariff. Possibly then the difference in price between Canadian goods and our goods may be very little; the Government may lose, but the people won't gain. Do you understand that? (No, no! from Hamley and others.) People may have to pay as much for Canadian goods as for American goods now.

Hon. COMMISSIONER OF CUSTOMS—American goods would come in less the duty now paid. Don't you see?

Hon. MR. WOOD—The difference of transport would prevent Canadian manufactures from coming here cheaper.

Hon. DR. HELMCKEN—I say the tariff would be almost the same on those American goods then as now. I grant there will be a loss on agricultural produce; honorable gentlemen say they may send agricultural produce. Butter, I believe, comes from cows: it costs money to buy a cow; there is the difference between raising agricultural produce and cattle. If butter could be grown from the ground I don't suppose that forty tons would have been imported. Farmers are poor; they have not money to buy stock. Keep up protection and they will have money by-and-by to purchase cattle. Experience of the agriculturists in this colony has taught me that farmers with capital come out at the wrong end of the stick, whilst those who have gone in to work for themselves have made money. I know most of the farmers on Vancouver Island, and I find that those who began with nothing are doing well. The Hon. Collector of Customs said that farm-

ers in the upper country don't require a tariff. I went into that question yesterday. I think they will want it.

Hon. DR. CARRALL and MR. BARNARD—Prices are getting too high now.

Hon. DR. HELMCKEN—It is exceedingly easy and pleasant for us who want to eat to say prices are too high, but let any man go to work on a farm and he will have experience of the difficulties. The Hon. Collector of Customs says a treaty of reciprocity would be of great benefit, and that we might give up the farming interests of this colony for it. Now, sir, this Council said last year, almost unanimously, that agricultural interests must be protected. Why should honorable members think that we should require anything different under confederation? The honorable member for Victoria District almost led me the way in saying that irritation would arise which would lead to a desire for annexation if the agricultural interests were not protected.

Hon. CHIEF COMMISSIONER—The interests we want to protect would be annihilated under confederation.

Hon. DR. HELMCKEN—I say what we want now is what we want under confederation. Now, sir, what have we been trying for. What has been our policy? Why, to protect industry. I am told that the Dominion Government will not admit any alteration in our tariff and the example of the United States is cited. It has been said that California wanted to alter her tariff and was not allowed to do so. I say, in reply that California was one and a part of the United States. British Columbia is not yet confederated, so we are still in a position to make terms. California would have made terms if she could, but could not, and it was for a time a question whether she should not secede. It was only large subsidies and steam communication that kept California in the Union. There is this peculiarity in the Organic Act: section ninety-five enables Canada to make different laws as to agriculture in each different province.

Hon. CHIEF COMMISSIONER—I don't think that section applies to the tariff; it does not sound like it.

Hon. DR. HELMCKEN—Perhaps it does not, but I say that anything advantageous to the colony may be enacted by the local government. We can ask for a separate tariff and Canada has power to make different laws as to agriculture in each province.

Hon. ATTORNEY GENERAL—No, that is a mistake. The 95th section weakens the hon. member's argument.

Hon. DR. HELMCKEN—I say it strengthens my argument. It does not mean merely that people may clean thistles out of their land. The simple issue is, shall agricultural interests be protected or not? It is quite possible that those who regulate the treaty, when brought into contact with Canadian statesmen, may devise some means whereby this result may be effected. I do not mean to give up to Canadian statesmen that they know more than ourselves about our local



affairs, but I do think we may utilize their experience. I do not think that people, when they know that Confederation will not be forced upon them, will accept Confederation. The question for the farmers will be, Shall agriculture be protected or not? I ask again, is agriculture protected by the resolution or not?

Hon. ATTORNEY GENERAL—It is not a SINE QUA NON.

Hon. CHIEF COMMISSIONER—I think the idea to take a vote on protection to agriculture a good one, and I would rather that the resolution stopped there. Then I would propose a further resolution, pointing out the difficulties and ills we labor under.

Hon. DR. HELMCKEN—I accept that alteration. We shall by it procure an expression of the opinion of the Council upon this point.

Hon. MR. DECOSMOS—I go further than that resolution. I stand here as a protectionist and I want to see the manufacturing interests protected as well as the agricultural interests. Protection will be a SINE QUA NON with my constituents. If the hon. senior member for Victoria will divide the question into agricultural interests, manufacturing interests and trade, I will withdraw my recommendation. I say that we want this question settled before Confederation. As for reciprocity, it has, in my opinion, to be based on existing industry. The most important treaty of reciprocity was between England and Portugal, under which English goods were admitted into Portugal and wines into England. Reciprocity to be successful must be based on existing industries. If we enter into a treaty of reciprocity with the United States, we must build up our industries, such as coal. I take it that what our coal has to contend with is foreign and native coal in the San Francisco and Portland markets. Unless there is an extended market for coal it is impossible to increase the trade in it. Reciprocity would destroy the most permanent interests; that, for instance, of agriculture, and we would gain nothing by it. I say if Canada thinks proper to negotiate a treaty of reciprocity with the United States we should be at liberty to negotiate a separate treaty, or to insert special clauses in the treaty.

Hon. CHIEF COMMISSIONER—Let us clear the ground by getting the Chairman to put this resolution as an abstract proposition.

The Chairman then read the resolution as an abstract proposition for the vote of the Council:

That in the opinion of this Council it is necessary that the agricultural, horticultural and dairy interests of British Columbia be protected.

Hon. CHIEF COMMISSIONER—Mr. Chairman, I am prepared to vote for that Proposition, but I do not go quite to the extent of believing it necessary, although I think it very desirable. I don't think it of such importance as the hon. members for Victoria City and District, as to make it a vital

question or a SINE QUA NON of Confederation. I think it is desirable to continue protection under Confederation, and I do not see why we cannot. I think that the Dominion Government may, perhaps, be better able to provide the ways and means to effect that object than ourselves. We may not be able to provide a remedy, but we may advise. The protection that we ask for only partially affects the community. It is patent that it only affects Vancouver Island and the Lower Fraser at this time. (No, no, from Mr. DeCosmos.) I say that the farmers of the Interior have a geographical protection. The time is so distant when agricultural produce can come in to the upper parts of British Columbia or when the produce of the upper country can come into competition with the produce of the Island and of the Lower Fraser in these markets, without feeling the cost of transport as equivalent to a protective duty, that before that time arrives the tariff may be amended again and again. With regard to what has been said about the closer union with a foreign country, I said and I repeat it that if the interests of the farmers would be prejudiced under Confederation, they would be utterly annihilated under Annexation. I believe that if we were brought under the Dominion tariff they would be injured. I did not say that the Dominion would not give us separate tariff regulations. I think they will do so but I say we have put ourselves out of a position to prescribe. We have put before them a scheme, and we have left the tariff out of the scheme. We can now point out that we want protection, and leave it for the Dominion Government to point out the means. We have virtually put it out of our hands to dictate the means approved by this Council. I cannot agree in thinking that clause 91 leaves us free to impose our own tariff. I say we have made the "British North America Act" apply under the scheme which we have adopted under clause 16.

Hon. MR. RING—I differ from that.

Hon. CHIEF COMMISSIONER—That is the whole strength of my argument. We have virtually given up the power over the tariff to Canada, but it is open to us and the Council are invited to state what is wanted. It must be remembered that those terms are only memoranda for Confederation. Different terms may be sent back, and it will be left for the new Council to decide upon them; and I, for one, am ready to suggest to the Canadian Government that we should have protection, although there are objections, for if you protect one interest another must suffer. We pay for the protection of produce in the increased price of the articles we consume. I go to the length of thinking it desirable to recommend the Canadian Government to protect our agricultural interests.

Hon. ATTORNEY GENERAL—I will ask the honorable mover of this recommendation whether he insists on the word 'necessary'?

Hon. DR. HELMCKEN—I say this is one of those things that under Confederation will be necessary.

Hon. CHIEF COMMISSIONER—Will the hon. member alter the word 'necessary' to 'very desirable'?

Hon. ATTORNEY GENERAL—If you retain that word I must vote against it.

Hon. DR. HELMCKEN—I retain the word.

Hon. MR. ROBSON—'Highly desirable' would suit my views better.

Hon. MR. DECOSMOS—I think the word ought to be retained.

Hon. MR. ALSTON—I believe all restrictions are false in principle, and governments have no right to travel out of their path to dictate principles. It has rightly been said that protection to agriculture is at the expense of other things, and it is simply ridiculous to say that agricultural interests are the only interests in the colony. Vancouver Island cannot be looked upon as an agricultural country. I would vote for protection temporarily, but as soon as good roads are made the farmer needs no protection, and although free trade may be injurious to one interest, I believe it to be the correct principle. It strikes me that the Organic Act is a treaty of partnership between four countries, and where the terms are silent we can alter the Organic Act. If it be that we may make the laws, Canada still takes the revenue; and unless the resolution is altered I cannot vote for it.

Hon. CHIEF COMMISSIONER—I may clear the ground if I make a suggestion. I think it would be better to take the subjects separately, and then I would embody the whole matter in one resolution to His Excellency.

Hon. MR. WOOD—It would be desirable to have as unanimous a vote as possible. The Hon. Chief Commissioner and the Hon. Mr. Alston have said that a tax on produce would be likely to prove injurious. I say that protection is only to be extended until our agriculturists can compete with the farmers on the opposite shore. If reciprocity should eventually arise, I do not pledge myself to support protection. It may be necessary then to make some compensation to farmers, but I cannot say I would support it.

Hon. MR. DECOSMOS—We want a positive guarantee for protection.

Hon. Chief Commissioner moved an amendment to change the word 'necessary' to 'highly desirable.'

The recommendation, as amended, was carried.

Hon. MR. DECOSMOS moved a resolution, 'That it is highly desirable that manufactured articles should be protected.'

Hon. CHIEF COMMISSIONER—I would ask the hon. member to define manufactured articles.

Hon. MR. DECOSMOS—I would name boots and shoes. Now in event of any reciprocity treaty, I should like to see our interests protected. A reciprocity treaty may exert a stimulating influence for a time or it may

be detrimental. We have confectionary and many other things; for instance, there is a proposition to erect a woollen manufactory. Furniture at present all comes from the United States. Our cabinetmakers could manufacture it here if they could import the raw material free. The same could be said of wheelwrights. If we are to have large public works we must have these interests protected. Harness may be brought in cheap under reciprocity, leather and soap likewise. I start out on this principle, if we can keep our manufactures at home we are doing our duty.

Hon. MR. BARNARD—The Canadian tariff applies to all the articles mentioned by the hon. gentleman; I am mystified in regard to this protection. He says he wants protection for leather, and boots, and harness. Twenty per cent is our tariff on wagons, and yet no class of wagons, such as is wanted, can be made here.

Hon. MR. DECOSMOS—We shall never have producing manufactures if we do not protect them. With regard to wagon building, parties now engaged in the business were about to leave until the tariff was introduced. Competition lowers the price of home manufactured articles.

Hon. DR. HELMCKEN—I shall support this resolution; the Canadian tariff to some measure meets it.

Hon. ATTORNEY GENERAL—I shall ask to have the words altered.

Hon. DR. HELMCKEN—Presently we shall have to protect British Columbian interests against Canadian interests. If the farmer and boot maker are protected, other local manufactures must be protected also. Where you do not produce things admit them free. It is our duty to protect our own interests.

Hon. MR. BARNARD—And turn people out of the country.

Hon. MR. HELMCKEN—You keep them in. You send out \$100,000 a quarter for goods, which ought to be spent here. That \$100,000 ought to be invested in mines and in building up the country. Now you want this country to be a garden and a manufactory. The people must do it, and it is the only way in which they can do it. Put your productions into competition with the whole world and you will ruin the producers throughout the whole colony.

Hon. CHIEF COMMISSIONER—Another question is, up to what point are you to protect? What is the use of protecting produce if you protect colonists out of the country? I put this as an abstract proposition. There is no more moot point than the difference between free trade and protection. I see the Canadian tariff protects these things, and I don't feel inclined to ask for more. Under the Canadian tariff agricultural products are almost free, but manufactures are protected. I don't intend to assume that the tariff will be taken off—that protection is to be taken away from manufactures, for if so, it will be against the arguments of the members from British Columbia.



Hon. MR. ROBSON—Some members are growing protection mad. They want to build a wall around the colony and keep out the entire world. You must come down to first principles. When honorable members talk about protection, I suppose we intend to protect that which we can produce. Are we to protect so as to force people into branches of industry unthought of before? Some honorable members have run to the extent of protecting population out of the colony; another favors protection in order to keep prices low, and thus to secure our population. I maintain that protection has run too far, and the agriculturists have not benefited by it. [No, no! Mr. DeCosmos.] They tell me the demand is so small that prices are less. I am not in favor of withdrawing protection from farmers, but let us see that it doesn't go too far.

Hon. MR. WOOD—Might I not turn the tables by judging some hon. members are free trade mad; no one ever dreamt of such high taxation. So far from sweeping off population we secure it, and in England free trade is intended to benefit the manufactures and it does so. It struck a blow at agriculture, and if they had not gone into raising and spending more money it would have been an utter failure. High price for corn is now unknown; but free trade by way of dogma is absurd.

Hon. MR. DECOSMOS—There is a distinction between a tariff for protection and a prohibitory tariff. The hon. Collector of Customs will set me right if I am mistaken, but I believe the importation of arms from foreign countries into a colony is prohibited.

Hon. COLLECTOR OF CUSTOMS—Prohibited, I believe, altogether.

Hon. MR. DECOSMOS—Precisely so; that the defence of the Colony may never depend on foreign aid. The hon. Chief Commissioner asked the extent of the protection. I say, during the infancy of the Colony. When we are able to run alone protection will be unnecessary. With regard to farmers wanting free trade, I deny it emphatically.

Hon. DR. HELMCKEN—No doubt the Canadian Government will like this amendment of the tariff.

Hon. ATTORNEY GENERAL—I shall vote against it because it says it is expedient to arrange it in the terms. If the hon. member alters the wording it would then become on the same footing as the last recommendation.

Hon. MR. DECOSMOS altered the wording accordingly, and on vote the motion was lost.

The motion of hon. Dr. Helmcken was put and carried.

### Thursday, 24th March, 1870.

On the House going into Committee of the whole on the Confederation Resolution.

Mr. DeCosmos moved the following resolution:

That in the opinion of this Council it is expedient in order to foster commerce, to admit, duty free, into this colony or some portions thereof certain articles of foreign merchandise not produced in the Dominion or this colony, and that provision for the admission of the same be made in the terms of union with Canada.

In reply to a question the Hon. mover said it would be impossible to name all the articles; but a few of them might be instanced, such as tropical fruits, silks and English dry goods; he thought this the proper time to bring these matters to the attention of the Dominion government, believing that they would listen to them. Some discussion ensued as to the mode in which the different recommendations and resolution were to be taken up.

The Hon. Attorney General called hon. members' attention to the fact, that it had been agreed by the House that an expression of opinion on these general principles; namely as to the protection of agriculture, of manufactures, and of commerce, should be taken, and that as had been very properly suggested by the member for Victoria District, a general resolution should be framed on these abstract views.

Hon. MR. ROBSON—I shall offer an amendment, because I think the question of Free Port and Protection should not be dealt with together.

Hon. ATTORNEY GENERAL—The proposition of the hon. member for Victoria district is as to what shall be admitted free; the hon. member for New Westminster proposes to suspend the whole tariff.

Hon. MR. ROBSON—I stated one reason why I thought it not desirable to put the two together. You cannot get the control of the tariff. I say we want free trade in certain articles, and I say we must have the tariff entirely remodelled as to these articles. My difficulty is that we were last evening discussing protection, and how far we should have the power to deal with it. I moved an amendment which was, I think, the only constitutional way of dealing with the question, and in answering certain propositions of hon. gentlemen yesterday, I endeavoured to deal with protection *per se*. I listened with interest to what fell from the Hon. Commissioner of Customs, and I do not like to set my opinion against his on matters of this kind, on which I know he is an authority, especially when I find him backed by the hon. Attorney General and Chief Commissioner of Lands and Works. I instanced the United States of America, and said that they are a living instance of non-separation of tariff. The hon. Chief Commissioner of Customs did not go so far as to say we could frame a tariff for ourselves, but that the Dominion Government would frame it for us. Now, Sir, I say that we must not run away with any such idea. If we were allowed to have a different scheme of revenue, Newfoundland would ask the same;

New Brunswick, Prince Edward Island and other provinces would all ask for exceptional tariffs, and the federal fiscal policy would be broken up and destroyed. Depend upon it we ought not to run away with such an idea. The Dominion government cannot admit of exceptional or differential tariffs any more than the United States can do so. Some hon. members say that we are not under the Organic Act, and need not be under it, unless we choose, that there is a distinction between the relations of the provinces that were confederated under the act, and those that may hereafter come in, and that we can change the Organic Act if we think proper. I admit that any province not prepared to come in under the Organic Act can stop out. The act is not binding on us now, but will be if we go into the Dominion. I am surprised to hear some hon. members speaking lightly of a reciprocity treaty. Look at the single item of coal. We at present only send 18,000 tons per annum to San Francisco. I have no doubt that under a reciprocity treaty, we should supply them with 50,000 tons a year at least, to say nothing of anthracite coal. In the course of a few years, allowing time for trade to develop itself, this would bring in \$900,000 or, say, one million dollars a year into the Colony. Mr. Chairman, we are now speaking of a single item, and that, I believe, not the largest, which would bring in one million a year, and that calculation is based upon the present consumption of coal in San Francisco, and the consumption will no doubt increase. In addition to this, look at the quantity of shipping, and the cheap commodities which these ships bring in, which could hardly be brought as a measure of commerce. There are objectors to reciprocity. No doubt it would be very nice if we could open the United States ports to our goods, and close our ports to their goods. But this would not be reciprocity. There is, in my opinion, only one answer to be given. I say, give the farmers good roads, and this will be protection for them. Now, sir, what does the development of our coal interests mean; it means extension of labor, and circulation of money. Farmers have at once a full demand for their produce. Apply the same argument to lumber. Its development would cause more money to be expended in the colony. Every ton of coal brought to the bank, and every tree cut down, means spending of money. There, then, is another field opened up for what farmers have to sell. Give the farmers this development and good roads, and they would soon find out that reciprocity would be like the handle of a jug, on the side of British Columbia. Depend upon it we will come in under the reciprocity treaty, and the advantages will be so great on our side that it will hardly be reciprocity. Nothing can be more unfair than to suppose we are to have a free market in the United States and they have none here.

Hon. Collector of Customs asked if Mr. Robson had any resolution to propose.

Hon. Mr. Robson said that at present he was replying to remarks that had been made by other hon. gentlemen.

Hon. Attorney General said that the course that the hon. gentleman was pursuing was embarrassing, and would tend to complicate the question before the House, and proceeded to correct a statement which he understood Mr. Robson to have made as to what had fallen from the hon. Chief Commissioner, hon. Mr. Hamley, and himself on a previous occasion as to the right to control tariff being in the Provinces after Union.

Hon. MR. DECOSMOS—Anyone who knows the history of the United States knows that if any question of dealing with the tariff law in any manner other than federal could arise, it would be in reference to groups of states instead of single states. I say then that we must consider this as a group of Provinces of the Dominion. Many years will probably not elapse before we see groups of States distinguished as Pacific and Atlantic, or East and West and North and South, in the neighboring Republic.

Hon. MR. ROBSON—I rise to move a resolution. It is the same as that proposed at the Yale Convention by the hon. member for Victoria District in 1867.

HONS. DR. HELMCKEN and ATTORNEY GENERAL—What Convention? We know of no Convention.

Hon. MR. ROBSON—I have a perfect right to allude to what took place at the little Parliament at Yale. I believe this to be the proper way to approach the subject. The resolution which I propose is as follows:

That a respectful address be presented to His Excellency the Governor recommending that the following may be included in the conditions of the proposed terms of union with Canada. If at any time after the admission, the legislature of British Columbia shall pass an address to the Governor-General of Canada declaring that it is expedient to establish a free port in the Pacific in order to advance the interests of British commerce in the North Pacific, the Parliament of the Dominion to make provision for the establishment of the same.

It is astonishing to find what a change has come over the hon. Mr. DeCosmos since he changed his city seat for a rural seat. He is becoming less capable of taking a statesman-like view of these things than he was two years ago. I think by providing that, the new council shall, after due deliberation find it desirable, that a Free Port shall be established in this colony is, after all, the proper way. I cannot think that this House, with the small representative element that it has should be asked to decide this point. I say that the tendency of the Canadian policy is in the direction of free trade. (No, no, from hon. Mr. DeCosmos.) I say it is, and there is a speech of Sir G. E. Cartier recently



published, in which he says that the tendency of Canadian policy is towards free trade. Now I believe that a great British Empire is to be established on this continent,—the Greater Britain; and I believe that all British manufactures will be admitted free. If Great Britain takes her true part in pushing forward this Empire, she will naturally expect some advantages; she will naturally look for some immediate financial result. Every unproductive laborer in England is a tax upon the others; but transfer them to the Dominion and they will become producers and consumers. I believe it to be of the first importance that there should be a free port here. By a free port I do not mean that everything should necessarily be admitted free. There is no reason why local industries and especially agricultural interests should not continue to enjoy substantial protection. I believe the Canadian Government will readily realize the advantages of the policy of having a free port on the Pacific. There could be no local jealousies growing out of it. The provinces on the Atlantic could not object. Our free port would attract commerce and wealth to the nation which they could not possibly attract, and thus enrich the nation and reflexly benefit all. I maintain that while the larger advantages would be local, the general advantages would be very considerable. I was gratified in reading a leading article in the *Ottawa Times*, the organ of the Dominion Government, in which the theory of a free port for the Dominion on the Pacific is strongly and ably advocated, and this article forms a complete answer to those who allege that the Canadian statesmen would never listen to any such proposition. If it should be decided that a free port would conduce to the interests of the Province and, consequently, to the interest of the Dominion, why should not we have it? Why should we object? What more glorious idea can there be than that of a British Empire extending across the Continent, with its back to the North Pole, with its face looking Southward. I will not venture to say how far; with one foot planted on the Atlantic and the other on the Pacific, stretching out one hand to Europe and the other to Asia, and inviting commerce of both hemispheres to enter its wide open portals, free as the wind that fills the canvas. Depend upon it, Sir, if this is to be the true north-west passage, the gates must be thrown open. Let us not repel commerce, but woo it. I venture to think that the resolution which I have the honor to offer proposes to deal with the matter in the most statesman-like way; and I trust it will commend itself to the judgment, and receive the support of all parties in the House.

Hon. MR. HOLBROOK—Whilst believing that the establishment of a free port at Victoria might be beneficial to the interests of the Lower Fraser; did not think it would be for the general good of the Colony. In his opinion the agricultural interests wanted protection; for the present he must vote against the hon. member for New West-

minster. He thought that such questions ought to be left to the Dominion Government.

Hon. MR. DECOSMOS—After the very, I will not say unusual, but unexpected remarks in reference to myself, I must crave the indulgence of the House whilst I say a few words to set myself right. Sir, I had something to do with the Yale Convention, and I am not ashamed of my connection with it; my political standard was unfurled then as it is to-day. When I first entered upon politics in this country I established a high political standard, which would take the measure of a political trickster as well as that of a statesman. There is nothing in the conduct of the hon. member for New Westminster either here or at Yale to entitle him to the name of statesman. I say, sir, that I am as free as I was at Yale to vote for that clause, and if it can be got into the terms I will vote for it. I brought the question up at Yale because I knew that there was a party in Victoria favorable to free port, and I wished to see the question fought out after Confederation not before. The hon. gentleman was defeated; he could not get the Yale Convention to endorse the retaining of the Assay Office at New Westminster, and he took his defeat very much to heart. (Hon. Mr. Robson—Untrue, untrue). The hon. member for Yale came to me and said: "You concede this point as to the Assay Office and I will yield the free port. We don't want Mr. Robson to leave." That's how it came to be in the Yale resolutions. Since to this Colony I came I have never swerved from protection. In the first article I wrote for a newspaper in this Colony the word "protection" occurs. I want to see the Canadian revenue laws extended here; I want to see power in the local government to protect the industrial interests of the colony. I would like to know who has changed the hon. gentleman's opinions. I spent my time and money in getting protection. I challenged a gentleman on the floor of this House to retire and I did retire, I hoisted the flag of protection and won.

Hon. MR. BARNARD—I wish to state that what the hon. gentleman said was true, except that he mistook the Hon. Mr. Robson for hon. Mr. Holbrook.

Hon. DR. HELMCKEN—We are here to remedy evils likely to occur from Confederation, evils which are admitted by every member of this council. That there is an evil even the hon. member for New Westminster has admitted. (Hon. Mr. Robson—No!) The hon. gentleman makes his net so wide that he slips through; but he said in effect that the difficulty was irremediable and to get out of it he proposes not general free trade but free trade in certain special articles. If the Canadian Government can agree to one they can to the other. I believe that if we show the Canadian Government that the Canadian Tariff would be an evil, they will find means to remove the evil. I believe a tariff fair and suitable to this colony will be made. I believe we have

gone so far right; we have resolved that our agriculture shall be protected. Now comes the question as to commerce: We want articles of commerce as cheap as possible; our trade is chiefly retail, nevertheless it is important and should be fostered. I think that everything we can do to increase the population of this country is of importance, I therefore propose this resolution:

That in the opinion of this council it is advisable that after union foreign manufactured articles in which trade can be carried on with neighboring countries shall be admitted into this colony at a low nominal rate of duty, and generally the tariff should be made to suit the commercial condition of the colony.

I think free trade in Vancouver Island would be beneficial with protection to agriculturalists, but I do not think it desirable except in a limited way. Does anyone imagine that if free port was restored to Victoria her prosperity would return? In more early days, when she enjoyed free port, there were not the obstructions to free trade with the neighboring country that there are at present. Now there are Custom House officers to prevent smuggling and a great deal of illicit trade is checked. With regard to free trade: In former days we were far more advanced than the people on the Sound; to-day, on the Sound, trade has so far increased as to be almost equally as good and I am told you can buy goods almost as cheaply as in Victoria, so I do not believe free port would restore our pristine prosperity. Under free trade it is supposed that large stocks of goods will come by Panama or by long sea route. But look at the altered condition of things resulting from the Pacific railway and the railway to Columbia River, and probably on to Puget Sound. Do you imagine anyone will send large stocks of goods to lie here? and will not people telegraph for whatever they may require, and bring them across the continent by railway? I say that the same prosperity and trade that we enjoyed before would not come back. We are told that when the railway is made Asiatic trade will come across, but I doubt the railway being made in our time, and if it is, ships will go wherever the railway terminus is and that will not be here. It would be an advantage to have some articles free, silks, tric tracs, &c. Make Victoria the Paris of the coast and we may do something. And this brings me to the observation of my hon. friend on my right, that more frequent steam communication with the Sound would be productive of much good to trade. What I want to say is that the persons going to negotiate these terms ought to be able to state that this colony requires restrictions in the tariff. I do not intend to be factious, but I do intend to show to the Canadian Government what we consider best for this country, and that without certain terms we believe Confederation will be bad. What use is it to attempt to deceive

Canada? She knows what is being done, and if not there are those here who would tell her. It is our duty to show the Canadian Government that there are things we desire. Of what use is the country to Canada unless it is populated. She wants people, not terms. We must show what will be the advantages of Confederation. If the Tariff of the Dominion must come here it will be unsuitable to us—an admitted evil. If this cannot be remedied Confederation is likely to be put off for years. I merely mean to elicit the feeling of this House on the subject of whether we can take off certain duties. If commerce can be protected in the way we desire, as we shall see when the persons who go to arrange the terms come back, then it will be no use to oppose Confederation; if the evil is still to exist, then there will be opposition.

Hon. DR. CARRALL—I shall vote against the resolution. With regard to free port I do not say I am opposed to it or in favor of it; but I do say that the Canadians will say if we pass this resolution, "What kind of people are these that pass a resolution yesterday in favor of protection, and to-day desire free port?" The honorable member for Victoria city proved forcibly, I will not say conclusive, that free port would not be beneficial. His reasoning is inconsistent, and it is eminently characteristic of the honorable gentleman.

Hon. MR. HELMCKEN—I desire to explain the terms of my resolution—the latter part. If the Canadian tariff ruins our farmers are ruined.

Hon. DR. CARRALL—Vancouver Island can never be an agricultural country.

Hon. DR. HELMCKEN—Bring the Canadian tariff here and you take away protection and tax the farmers for all they consume.

Hon. CHIEF COMMISSIONER OF CUSTOMS—A free port is an impossibility unless the English Parliament repeal the Act of Union. This act enacts that British Columbia tariff laws shall prevail.

Hon. DR. HELMCKEN—I believe a free port could be carried on if you could wall in an acre or two of this city and not do any injury to manufacturing interests or any other interests. I mean to say that upon that acre people might expose their goods—make it one large bonded warehouse.

Hon. DR. CARRALL—We have heard of the pernicious effects in prospective of the Canadian tariff. I maintain that it will protect the principal, that is the pastoral interests, better than what is proposed by some honorable members. The admission of cereals free will be counterbalanced by the additional protection afforded to the farmers' horses and cattle and the cheaper rate for goods.

Hon. ATTORNEY GENERAL—I wished to gather the opinion of this House before expressing my opinion on this question. I regret much and am sure that this House will join with me in a feeling of regret, that my honorable colleague, the Chief Commis-



sioner of Lands and Works, is, unfortunately, absent from his place on account of indisposition, for I am aware that this is a subject to which he has given much consideration and I would have been glad that the House should have had the benefit of his opinion on this very serious question, for it is impossible to approach the subject without feeling its vital importance, and I think it would tax our united will and energy to their utmost limits, if we had the power to frame a tariff which would be suitable; therefore I see wisely in all the resolutions a wide generality. Upon this question of tariff we must especially avoid attempting to commit the Dominion Government to any fixed principle. The tariff cannot be part of the terms, but it is undoubtedly a matter of consideration to be urged on the Canadian Government. Though we have assented to the Organic Act we have not shut ourselves out from going to the Dominion Parliament to ask for remedies which they can give to us, and to ask them to find a remedy which will make confederation acceptable to this colony. Therefore I think, with the honorable Chief Commissioner, that one general resolution upon this subject, after dealing with the three separate resolutions or abstract principles, may with advantage be passed by this House. I think, also, with that honorable gentleman, Mr. Chairman, that Canadian statesmen who will have to deal with this matter will do so with wisdom. They in considering the terms when other provinces have entered the confederation must have experienced some of these difficulties which now come to us for the first time. No doubt many hon. members of this House have given great consideration to this question, yet I think that Canadian experience will help us. Much has been said on Free Port, much for and against. My own tendencies, since first I had a seat on this floor, in another assembly, have been in favor of free port. I voted for it then, but I feel that I am obliged to vote against it now. The Imperial Government will not sanction anything which is in effect a differential duty in the same tariff, but this is distinct from the question of a separate tariff for British Columbia. Other considerations will naturally strike Canada and I think if free port was made a *SINE QUA NON* she would refuse Confederation altogether, as she would not like to run the risk of entering into difficulties and dispute of a fiscal character with her great and powerful neighbor, which might possibly arise out of smuggling. Another difficulty to dealing with this matter that we have to encounter is that we have information that a reconstruction of the Canadian tariff is at present going on, and there is some chance of a reciprocity treaty being arranged, therefore we cannot put forward any fixed principles. The main objections of the Dominion to a separate tariff, it strikes me, will be found to be: first, that they are afraid of infringing a principle; and, second, the formation of a precedent for a special tariff, which might

cause Newfoundland, New Brunswick, Nova Scotia and other Provinces to ask for special tariffs to suit their particular circumstances and to avoid the inconvenience of possible hostile tariffs. There are certainly many plausible reasons to be found in favor of a special tariff for British Columbia. Such as the difficulty of communication, the want of either road or railway and the security against smuggling into Canada. But the probability is that protection to commerce would be secured by the reconstruction of the Canadian tariff, and I regard the framing of a tariff now which would apply satisfactorily to our altered circumstances under such a thorough change as Confederation would bring, as a matter of impossibility. Formerly, when there was a free port at Victoria, it was always in danger, and the hon. senior member for Victoria City, then the Speaker of the Vancouver Island House of Assembly, was always afraid of every little impost on stock or produce lest it should infringe upon the principle of free trade, and at last it was so loaded with dues and charges that before the union the principle of free port was destroyed. But I see no reason why, when we are going into a partnership, we should not arrange the best terms we can and I think that the differences could be altered in favor of this colony, and in favor of Confederation generally. We have no power ourselves; that is the reason this question is not brought up in the terms. We must see what effect union will have on this colony first—we must see how the thing works before we decide finally. At the same time we must take care that we protect such important interests as agriculture and commerce from haste or injurious delay. I will, therefore, as soon as the terms are settled propose a resolution which will meet this difficulty and give time to see what change, if any, the country may require. In sending our resolutions to the Canadian Government we must not suppose that we have exhausted the subject. Many points must arise when the Canadian commissioners come here, or ours go there—if the matter takes that turn—but we should be careful not to overload the terms lest we should endanger the cause of Confederation altogether. We must have some faith in the Dominion Government—in Canada and Canadian Statesmen. We must not forget that their own interests would be ours. I say nothing with regard to the latter part of the resolution of the hon. member for Victoria City except that it does not accord with his usual statesmanlike views. I shall offer no opposition to the latter part of the resolution of the hon. member but I cannot support the whole. If anyone will move an amendment to leave out the latter part, I will support it.

Hon. MR. DECOSMOS—We have three propositions now before the House; my own, and those of the hon. members for Victoria and New Westminster; the former divides the subject. I think they would both act judiciously if they withdrew the question of free port.

Hon. Dr. Carrall moved an amendment to strike out the latter part of the resolution of hon. member for Victoria.

Hon. Mr. Ring suggested that the amendment should be deferred. These amendments so qualify the general principles that I must decline voting for any one of them.

Hon. MR. WOOD—Sir, I do not intend to express my opinion on free trade or protection but I intend to vote; and I think my hon. friend (Mr. Ring) might consider that he is not pledged to any particular course by his vote. I give my vote in order that the question may be brought before the Canadian Government, and ultimately before the people of this colony.

Hon. MR. RING—I have great respect for the opinion of the hon. and learned gentleman, but the resolution of the hon. member for New Westminster pledges us to the Organic Act, which I decline to endorse. We are entitled to our own free port and to the regulation of our own tariff.

Hon. MR. ROBSON—I hope the hon. member will remain while I set him right. My resolution only asks that a Representative Council here, after due deliberation shall have power to decide upon this question. I consider that the name of free port is attractive; this, under the resolution of the hon. member for Victoria District, we should lose. We must not regard the Canadian tariff as entirely unprotective. It is wrong, it is untrue to state that the Canadian tariff is such a great evil, and I maintain that it would not be an evil, but an actual good, but that is no reason we should not seek to make it a greater good.

The Clerk read the resolution of hon. DeCosmos, the amendment of hon. Robson, the amendment of hon. Helmcken, and the amendment of hon. Carrall.

By the leave of the Committee the amendment of the hon. Mr. Robson was withdrawn, in order that it might be brought up as a substantive motion.

On a division the motion of hon. Dr. Carrall was carried, and the original resolution of Mr. DeCosmos was lost.

The hon. Mr. Robson then moved his resolution, to which the hon. Mr. Humphreys moved an amendment.

Amendment and resolution were lost.

Hon. MR. DRAKE—Sir, I rise to move this resolution on Excise:

That in the opinion of this Council the duties of Excise levied upon malsters and brewers under the excise laws of Canada would be detrimental if made applicable to British Columbia, and that His Excellency be requested to take such steps as he may deem advisable for the interest of this colony, and further to take care that no export duties shall be charged on spars exported from British Columbia.

And I would remark in doing so that excise as levied under the Canadian system, is very heavy indeed; there is duty, license

and excise. The result would be to the brewing interests in all probability total extinction; for on an increasing trade the duty would be so high as to check trade in this direction. The other part of the resolution is in respect to logs, the duty on which is \$1 per 1000 on saw logs, but whether a spar or a mast it is regarded still as a log. Thus the Canadian tariff would seriously interfere with our industry and interfere with getting out masts and spars.

Hon. DR. CARRALL—I think the hon. and learned member for Victoria city is under a misapprehension when he includes spars with logs. If 'logs' refers simply to saw-logs, I cannot see that the spar business would be affected.

Hon. ATTORNEY GENERAL—I must confess, sir, that I do not see the object of this clause. I don't think there is any need for alarm. I have lived for some years in Canada, and when I think of the Canadian statesmen who will look at British Columbia without regard to party politics, such men, for instance, as Sir J. A. Macdonald, Sir Francis Hincks, Sir A. T. Galt, Mr. George Brown, and the various statesmen accustomed to deal with these things I feel confident that we are safe in their hands; therefore I hope that the hon. and learned member will not imagine that in voting against this motion we are voting against the interests he so properly wishes to protect.

Hon. MR. RING—The hon. Attorney General seems to think that these honorable men may live forever. He forgets that in the progress of time other men will take the lead in public affairs.

Hon. DR. HELMCKEN—It is a most important question. The Canadian Government ought to know what we think of it. The brewing interest would disappear, and it is large in proportion to our population, and to ruin it would be doing an injury. I hope the hon. Attorney General will withdraw his opposition and let this recommendation go with the others to the Governor that he may forward it with them to the Canadian Government. At the time the Organic Act was made it related to contiguous Provinces. The hon. Attorney General says they may not put it in force here for ten, twenty, or thirty years. Granted, but it may also be put in force immediately. I say, then, let the Canadian Government be made aware that the application of the excise laws to this colony will be detrimental to its interests.

Hon. DR. CARRALL—I think the hon. member loses sight of one fact. He is terribly afraid of the Canadian tariff, but he loses sight of the fact that barley comes in duty free. I believe the whole system will be carefully revised, and it is absurd to hamper the terms of the resolution for such a petty question.

Hon. MR. DRAKE—In reply, I think our duty in coming here is to protect the interests of the colony. We ask the Dominion Government to consider these things. We do not insist on terms being inserted. I do not ask for this only, I desire to draw the

attention of the Canadian Government to these interests that they may not be overlooked. As to these interests being petty and small, that is our misfortune; but let us not lose sight of them for that reason. As for Americans coming here to cut down our logs, I say let them come. If I can alter my resolution to suit the Attorney General I will do it.

HON. ATTORNEY GENERAL—If I thought the interests of the colony would suffer I would consent to bring the subject before the Canadian Government, but I think we have nothing to fear.

HON. DR. HELMCKEN—If you ruin the brewing interest, you inflict much harm in other ways. Brewers consume one million pounds of barley yearly. This is 7,000 acres of land which must be cultivated. To ruin this will throw out of employment a large number of people and, close up our breweries.

HON. MR. DECOSMOS—I see no objection to sending this up, but not to make it a *SINE QUA NON*. I believe the Canadian Government will protect all these interests. Brewing is not of sufficient magnitude to kill Confederation.

HON. MR. ROBSON—I must oppose if logs are left in. I think it may be our duty to protect spars and logs.

HON. MR. DRAKE—Then I will strike out logs and leave spars.

The Clerk then read hon. Mr. Drake's motion, as altered. Carried.

HON. DR. HELMCKEN—There are other things to be considered.

HON. ATTORNEY GENERAL—I think it is now competent for me to move the resolution proposed by the hon. Chief Commissioner.

HON. MR. ROBSON—Is it intended that this shall swamp all the others?

HON. ATTORNEY GENERAL—No, it relates only to tariff:

RESOLVED, that this Council respectfully represent to His Excellency the Governor that in negotiating the terms of union of British Columbia with Canada, it is of the first importance to point out to the Government of the Dominion that the circumstances of this colony are in many respects so different from those of the Eastern Provinces that the application of the present Canadian tariff to this colony, while reducing the aggregate burden of taxation, would injuriously affect the agricultural and commercial interests of this community, and that it be therefore urgently impressed upon that Government that it is absolutely necessary to our well-being under Confederation that special rates of Customs duties and special Customs regulations be arranged for this colony in such manner as may be found practically most advisable, so as to secure, while our requirements in this re-

spect remain as at present an equal measure of protection to our agricultural products and of facility to commerce, as are provided under the existing British Columbia tariff.

The resolution was carried unanimously.

The original motion of the hon. Mr. DeCosmos on the Orders of the Day was read and by leave withdrawn.

HON. MR. DRAKE's motion was also withdrawn.

HON. MR. HOLBROOK's motion was put and lost.

HON. MR. ROBSON's motion was put and lost.

HON. MR. HUMPHREYS moved,

That in the consideration of the subsidies to be given by Canada to this colony due weight shall be given to the advisability of abolishing the present road tolls on the Yale Cariboo road, and also to make provision for funds to keep the same in repair.

I put this in consequence of the suggestions thrown out by the hon. Chief Commissioner. I think these road tolls have done more towards making bankrupts than any over-trading. They are main trunk roads, and I think they ought to be kept up by the Dominion Government.

HON. ATTORNEY GENERAL—I am not aware that that is the result of a suggestion of the hon. Chief Commissioner. I am aware of his views, and I believe he has doubts as to whether roads can be maintained by a Government so far removed as Canada.

HON. MR. BARNARD—I would suggest that this be laid over till the hon. Chief Commissioner be here.

HON. ATTORNEY GENERAL—The hon. Chief Commissioner would not object to any conclusion of the House on this matter. But I caution hon. members not, by the addition of these suggestions, so to overload the resolutions as to break down the whole of them.

HON. MR. BARNARD—I move that the Committee rise and report progress, in order that the matter may be laid over until the hon. Chief Commissioner is in his place.

Committee rose and reported progress.

### Friday, 25th March, 1870.

On Mr. Humphrey's motion on roads being read the Hon. Attorney General said:

I regret to say that my honorable colleague, the Chief Commissioner of Lands and Works is still too much indisposed to attend to his place in this House. I would, therefore, suggest that the honorable member should postpone this notice until he is present.

HON. MR. HUMPHREYS—I have no objection to defer it on the understanding that it comes up on Monday.



Hon. ATTORNEY GENERAL—On Monday, or this day, if the Committee get through with their other motions on confederation.

Hon. MR. RING—I desire to introduce a motion with regard to free port, but I do not intend to inflict upon the House a speech. I move that His Excellency be respectfully requested to place in the terms a clause to restore to Victoria the system of free port antecedent to confederation. The honorable member for New Westminster was indignant with me yesterday for not supporting his resolution. I only say that his proposition was hypercritical. I ask that we may have free port restored before confederation. We have now the right to legislate for ourselves on this point. Hereafter we shall be at the mercy of the Canadian Parliament at Ottawa. I would make free port one of the conditions of confederation, but first restore free port.

On the Clerk reading the first words of the resolution,—

Hon. DR. CARRALL—I rise to a point of order. I say that this question has been already decided.

CHAIRMAN—I think the honorable member for Nanaimo is not out of order on that point. The question of free port yesterday related to free port after confederation. The resolution of the honorable member for Nanaimo is in reference to free port antecedent to confederation.

Hon. MR. DECOSMOS—The honorable member is surely out of order, this Committee having met to consider confederate resolutions.

CHAIRMAN—I rule that the Hon. Mr. Ring is in order, as his resolution refers to the terms of confederation now before this committee. On the honorable Mr. Ring's motion being put to vote it was lost.

Hon. MR. HOLBROOK—I have very great pleasure in bringing this resolution forward with reference to the Indian tribes.

Hon. ATTORNEY GENERAL—I ask the indulgence of the honorable member whilst I interpose a few words. On a former occasion a very evil impression was introduced in the Indian mind on the occasion of Sir James Douglas' retirement. I ask the honorable gentleman to be cautious, for Indians do get information of what is going on.

Hon. MR. HOLBROOK—My motion is to ask for protection for them under the change of government. The Indians number four to one white man, and they ought to be considered. They should receive protection.

Hon. ATTORNEY GENERAL—These are the words that do harm. I would ask the honorable Magisterial member from New Westminster to consider.

Hon. MR. HOLBROOK—I say they shall be protected. I speak of Indians of my own neighborhood, on the Lower Fraser.

Hon. MR. ROBSON—I rise to a point of privilege. I think that the warning of the Hon. Attorney General is necessary. This is the sort of discussion which does harm.

Hon. MR. DECOSMOS—Don't report it.

Hon. MR. HOLBROOK—I do not view it in that way. I say that the Indians of the

Lower Fraser are intelligent, good settlers. I ask that they receive the same protection under confederation as now.

Hon. MR. HUMPHREYS—I would ask what protection they have now.

Hon. MR. HOLBROOK—They have protection in being allowed to occupy land, and they enjoy equally with white people the protection of the law, and I ask the House to keep them in the same position.

Hon. ATTORNEY GENERAL—If the Indians had no better protection than the Hon. Magistrate from New Westminster, I should not envy them their protection. The honorable gentleman must have forgotten the direction of the Imperial Government to his Excellency the Governor in Lord Granville's despatch.

Hon. MR. ROBSON—The Hon. Mr. Holbrook has told you that he speaks in behalf of 40,000 Indians. I speak in the name of 65,000. I am inclined to think we should not pass this matter over entirely, we ought to point out our desire that the Indians should be cared for. Now, the Canadian Indian policy has been characterized as good, even by American statesmen. Our own policy is not worth the name. I consider it to be a blot on the Government. I will, therefore, propose as an amendment the following:

That the Indian policy of Canada shall be extended to this colony immediately upon its admission into the Dominion, and that the necessary agencies and appliances for an efficient administration of Indian affairs may be at once established.

The Canadian Government occupies the position of guardians to Indians. They are treated as minors. There is a perfect net work of Indian agents in Canada, and through them the Indians are made presents of agricultural implements, seeds and stock. Now, if we let it go forth to the Indians that their interests are being considered, and that this will be greatly to their advantage, I say, by making the Indians feel all this, there will be less danger of exciting any unpleasant feeling among them. We should let the Indian mind at rest and let them feel that Confederation will be a greater boon to them than to the white population.

Hon. DR. CARRALL—I rise to state my intention of voting against the resolution and the amendment. We have the full assurance in Lord Granville's despatch that the Indians must be protected. I do think the honorable gentlemen are only helping up resolutions trusting to overload the whole system. The honorable member for New Westminster has affirmed how good the Canadian system is. The goodness of that system is in itself sufficient to render the resolution needless. I shall, therefore, vote against it and the amendment.

Hon. MR. HOLBROOK—I must vote against the amendment.

Hon. MR. HUMPHREYS—I disapprove of what both the honorable members stated. These gentlemen know nothing of the question. I will show you why. Take away the



Indians from New Westminster, Lillooet, Lytton, Clinton, and these towns would be no where. I say the Indians are not treated fairly by us, and all they want is fair dealing from the white population. At Lillooet I was told there were upwards of 16,000; and \$17,000 gold dust was purchased from Indians. Take away this trade and the towns must sink. I say, send them out to reservations and you destroy trade, and if the Indians are driven out we had all best go too.

Hon. MR. ROBSON—The honourable member for Lillooet says that the Canadian policy will ruin the country and the Indians. I say, then to be consistent, he must move an amendment that it shall not apply. To say that the Canadian policy will ruin the country shows simple ignorance.

Hon. MR. BARNARD—I am convinced that the Hon. Attorney General is right.

Hon. MR. ALSTON—I must support the honorable member for New Westminster. I say there is no Indian policy here, and I am sure that the Canadian policy is good.

Hon. MR. ROBSON—I was induced to put an amendment because there is a resolution, otherwise I would not have interfered.

Hon. ATTORNEY GENERAL—My esteemed colleague, the Hon. Registrar General, says we have no Indian policy. I say our policy has been, let the Indians alone. (Hon. Mr. Alston—No, no!)

Hon. MR. BARNARD—The reason I ask for the withdrawal of the resolution is that we cannot keep back from the Indians anything that happens here, and it will have a bad effect.

Hon. ATTORNEY GENERAL—As these words may go forth, I wish to state on behalf of the Government that the care of the Indians will be the first care of the Imperial Government and of the local Government.

Hon. MR. HUMPHREYS—I do not apprehend any danger from any discussion in this House.

Hon. MR. ALSTON—I suggest the withdrawal of the resolution.

Hon. MR. CARRALL—I say that the Canadian policy has caused them to grow and prosper. I am at a loss to understand why honorable members should be afraid to trust to it.

Hon. DR. HELMCKEN—The honorable member for Cariboo seems to find it difficult to understand my position. I think it right to endeavor to get the best terms we can, and to point out difficulties. It is the duty of every man to do so. I am perfectly willing to sit here and make the best terms possible. When they come back from Canada it will be time enough for me to decide whether or not I shall support confederation. I am now anti-confederate, but I may become confederate if the terms are good. I say if the Indians are to be stuck in reservations there will be a disturbance. I think, sir, that it will be well that there should be some opposition.

Hon. MR. ROBSON—I wish to state I will withdraw my amendment if the honorable member will withdraw his motion.

Hon. MR. HOLBROOK—I can not do so consistently with my duty.

The amendment was withdrawn.

The resolution of the Hon. Mr. Holbrook was lost by a vote of 20 to 1.

Hon. MR. ROBSON moved that an address be presented to his Excellency the Governor, asking that Canada shall cause a geological survey of this colony to be made, commencing within one year after union. He said that a fund of \$100,000 had been set apart by the Canadian Government for the specific object of carrying out a systematic geological survey; that sum to be spread over a period of five years. Canada had the good fortune to possess a very efficient geological staff. The Red River country had received the first year's survey under that arrangement and would probably receive the second this year. British Columbia will possess a greater mineral interest than any other province, and a thorough geological survey will be of the utmost importance to her, and reflexly to Canada, and it was not too much to expect such a survey to follow close upon union.

Hon. ATTORNEY GENERAL—I am sure no one can have the slightest objection to support a motion for a survey. I assure you it has not escaped the notice of Government, but I regard it as a matter of certainty that British Columbia will come in for her share. I do not object to the consideration of the question between this Government and that of Canada, but I do object to inserting it in the terms. I think it may lead to the danger of the Canadian Government saying, when other things come to be considered, "You don't want this, it is not mentioned in the terms; had you really required this it would scarcely have been omitted in terms so full as these."

Hon. MR. ROBSON—In reply, I say that the Government has inserted a number of special things in the terms; and with reference to the geological survey, I believe Newfoundland got this very matter inserted under the direction of Governor Musgrave.

Hon. MR. HUMPHREYS—I rise to support the motion. I cannot understand the opposition. (Hon. Attorney General—I don't oppose; divide, divide, divide.) I desire to show the necessity for a geological survey. We are now eleven years old as a colony, and nothing is hardly known of the country. We are behind our neighbors of the United States. In California there is a Geological Surveyor, who has to explore and publish the result of his survey. We should have something of the sort here, and in addition, a record of the number of available acres of land in the colony. If 25 or 30 farmers arrived here I would undertake to affirm they could not get any information from the Land Office as to where they could settle down.

Hon. DR. HELMCKEN—I should not like that statement to get abroad uncontradicted. I think these assertions should not be made; they are likely to do much harm. I should like to see the 25 or 30 farmers come; let them go to the Mouth of the Fraser. There may be some difficulty about getting land in any part or locality, but it is absurd to bring up this fuss about the Land Office.

The resolution was put to the vote and carried.

Dr. Helmcken moved that it is desirable that the Dominion Government shall maintain telegraphic communication with this colony.

Hon. DR. HELMCKEN—It is absolutely necessary that there should be some telegraphic communication with the outer world. It is palpable that we must have it with the seat of Government.

Hon. MR. DECOSMOS—It will be in the recollection of some of the hon. members that, some years ago, a question was sent out for discussion from the Secretary of State as to the payment by Vancouver Island of a subsidy towards the Transcontinental Line of Telegraph. She could not afford it. Canada has the wire now taken over from the Hudson Bay Company. I shall support the resolution. I do not regard it as a SINE QUA NON, but very essential. I have no doubt Canada will do it.

Hon. MR. ROBSON—I understood the hon. member for Victoria city intended to ask the Canadian Government to maintain the existing telegraph line which runs through a foreign country.

Hon. ATTORNEY GENERAL—From the general wording of the resolution I am at a loss to know what is meant. I think this is a matter which had best be left out, or we shall be overloading the terms. If I vote against it, it is because we have truly too much on the terms.

Hon. MR. DECOSMOS—Why did not the terms come down to us more perfect?

Hon. DR. CARRALL—I am sorry the resolutions did not come down more perfect, but if they had been ever so perfect hon. members would have found fault. I look upon the conduct of hon. members, in bringing forward the additional resolutions as being inimical to Confederation.

Hon. MR. RING—I shall support the resolution. I think our cure will enhance our value in the estimation of Canada.

Hon. DR. HELMCKEN—It is admitted that if we are to have union we must have telegraphic communication. Why it was left out I don't know. It must have slipped out for it was before the Executive. Surely hon. members will not have the idea that \$3000 or \$4000 inserted here will stop Confederation.

Hon. MR. DECOSMOS—\$3000 or \$4000?

Hon. DR. HELMCKEN—At present, yes. The only means of communication is through America.

Hon. MR. DECOSMOS—I thought this was a trans-continental telegraph. I am sorry I said anything about it.

The Chairman then put the motion, which on division was lost.

Hon. MR. DECOSMOS—When I first rose to address this House on the question of Confederation, I made some passing allusions to nation-making. Now, sir, I believe we are engaged in that great work. Our posterity will, I believe control the northern end of this continent for a thousand generations. We find the American continent in the possession of two nations. The northern part in the possession of the Anglo-Saxon race and the southern part in the possession of the Spanish race: Then again we find the Anglo-Saxon race in the north divided into two nations, with a great mission before them. The first object of the great nation to the south of us may, perhaps, be said to be the acquisition of territory, and they have a united piece of territory from our boundary to Mexico. With regard to the northern Anglo-Saxon race to which we belong, we find that they possess all to the north except Alaska. If the United States have a single and compact piece of territory to the south, we want the same in the north. Look at history as regards the acquisition of territory by nations: Lorraine by France, Poland by Russia, Scotland by England, Texas and Alaska by the United States. How has this been brought about but by a national policy. For hundreds of years it was the policy of France to acquire Lorraine; so it was with Russia and Poland. It has been said that republics cannot have a national policy as monarchies can; I say that they have a policy with regard to land. And I say that we should have a policy of the same kind. Let us lay down this principle, that we intend to create a great nation, and intending to do so, we should have all territory north of the United States. I have no objection to the United States gaining territory to the south, but I do object to her coming north to holding Alaska. Let us glance at Alaska for one moment. The country is similar to our own. It has coal, fish and lumber as we have, and its contiguity to our country ought to induce us to believe that there is a natural alliance between us. We all know how much the purchase of this piece of territory cost the United States in hard cash. Then its annual cost is nearly two million dollars, or forty millions to support it as a United States Territory for 25 years. Then look at the population, a mere nothing; and its revenue, hardly worth taking into account. It is said by many that America is sick of her bargain, and that Russia sold the United States. I think this is a favorable time to bring it up. Canada can well afford to pay for an extended frontier on the Pacific Coast. If we purchased Alaska the Americans could still come in to fish and gather furs, so commercially there need be no difficulty. I believe we could get along smoothly, therefore I have to move this resolution:

That Canada shall purchase the Territory of Alaska, if possible.

I hope, sir, in all our relations for the future we shall remain international not national.

Hon. DR. CARRALL—I rise to support the resolution of the hon. Mr. DeCosmos. The only objection I can see is that perhaps it is a little premature. That Canada will ultimately require it, I can have no doubt. In supposing that the acquisition of this territory, and the consequent hemming in of British Columbia, would have the effect of leading the people of Canada to believe in the ultimate destiny of the British American possessions being drawn into annexation or absorption, the hon. W. H. Seward made an egregious blunder; he did it in his ignorance of the Canadian character. It is not necessary for Canadians to get up and show their loyalty daily, they are ready and able to occupy their position of IMPERIUM IN IMPERIO. There may be some people in Canada who do not like the government. In what country are there not some uneasy spirits? The United States has them, and England is not free from them. I shall decidedly support the hon. member although, I think he is perhaps a little in advance of American statesmen as to the acquisition of territory.

Hon. MR. HUMPHREYS—I think Mr. Seward understood what he was about when he elected the purchase of Alaska. I feel convinced that the government of the United States will not consent to let us have it. I have a strong feeling in favor of the United States, and am satisfied that they should have Alaska. I don't think Canada can afford to re-purchase the territory; nor do I think she has men to pit against the intellectual giants of America. I think the hon. member for Victoria District has perpetrated a joke on this Council; I shall, however, support his motion.

Hon. MR. RING—I rise to support the motion of the hon. member for Victoria District.

Hon. MR. ROBSON—I think this is a subject of too great importance to be disposed of hastily. It ought to be fully discussed. I agree with the hon. member for Victoria District that such is desirable, but I also agree with the hon. member for Cariboo, that it is somewhat premature. I think the people of the United States would like to get rid of it, would be rather glad to back out of it. Their policy is to let it 'paddle its own canoe'. If we wait it will probably fall into our hands. If we are to make a suggestion as to the acquisition of territory we should not confine ourselves to Alaska only. Let us have Maine also. It impinges upon Canada on the Atlantic; and it is a portion of land out of which England allowed herself to be cheated. It is well known that Maine is most important as giving an open winter seaboard to Canada; a large portion of Canadian trade has had to pass through Maine in bond. I believe the Dominion of Canada

will eventually utterly absorb America. (Laughter.) Some may laugh, but that is my conviction. The United States have made great progress, but the Constitution is very defective. It cannot bear the creation of another nation, especially one of such a liberal and enlightened constitution as the Dominion of Canada, alongside of it. One of two things is perfectly certain to my mind; that the Dominion will absorb the United States, or that they will meet as one nation, each giving up something. I think it is contrary to nature that they should continue separate. I believe that so great will be the success of the new British North American Empire, that it will absorb all the English speaking people on this continent. The people of Maine desire to belong to Canada, and have done so for years. If, on the Pacific, the Dominion acquires Alaska, and the State of Maine on the Atlantic, I assert that the great destiny of the Empire is assured. I move that the State of Maine be included.

Hon. MR. HUMPHREYS—All we lack now is a Leech or Douglas Jerrold. I think we shall immortalize ourselves; probably we shall appear in Punch. I think Mr. Seward won't blame us.

Hon. DR. HELMCKEN—I must move an amendment. We shall be absorbed before this absorption can take place. I shall move to leave out the words 'if possible.' I think the frog has swollen to the size of an ox.

Hon. MR. ROBSON—These debates should be carried on with becoming gravity.

Hon. DR. HELMCKEN—I think so too, and I think it would be the duty of any Leech amongst us to secure a correct sketch of the movers of the resolution and amendments.

Hon. MR. DECOSMOS—I think the hon. Attorney General should give his opinion.

The words "if possible," on vote, were struck out.

Hon. MR. DECOSMOS—Shall the words "State of Maine" be included?

Several members—Yes, yes.

The motion "That Canada shall purchase the Territory of Alaska and the State of Maine" was carried.

Hon. MR. HUMPHREYS—Mr. Chairman, as there is no further resolution before the Committee except my own upon roads, I shall, without further words, move its adoption.

Hon. MR. BARNARD—I think it unwise to hamper these conditions, but I consider this an important question. I am here to protest on behalf of persons who pay road tolls. The excuse made for this imposition is that the colony is indebted for the construction of these roads. People have looked to Confederation to relieve them of the \$4 per barrel duty upon flour, which they have been paying for so long. I desire to move an amendment to strike out the Douglas road, as I believe it to be unnecessary. I know that the upper country people will raise their voices against the continuance of the Road Tolls.



Hon. MR. DECOSMOS—The question was alluded to by myself when the terms were under discussion. I think the roads, if not national, ought to be local. I think the matter ought to be approached differently in dealing with this road. I think that shortly this plank in the platform of terms will be useless, because the railway will span the distance if Confederation is granted upon the terms proposed; therefore, I do not see the wisdom of handing them over to Canada. I think it desirable that road tolls should be abolished, and that we must have something to compensate us for giving them up.

Hon. ATTORNEY GENERAL—I cannot assent to either the original motion or the amendment. I premise by saying the matter has received considerable consideration. The original resolution, which was suggested by the hon. Chief Commissioner of Lands and Works, took up this whole matter. I am sorry the House has not adjourned to give him an opportunity to explain his views upon this question. His opinion is that the road from Yale to Cariboo would not be so well managed by the government at Ottawa as by the local government. The hon. member for Yale says that there are no reasons for road tolls. There is one, as stated by the hon. Chief Commissioner. It is being continually improved; therefore, a road of that description ought to carry with it a road toll for its construction and maintenance as a matter of principle, even after the original cost is paid.

Hon. Mr. Humphreys, with the consent of the House, withdrew his resolution in order to make some verbal alterations to it.

Hon. MR. BARNARD—I shall move the same amendment as I moved to the former resolution. I will read it:

That the government be requested to insert in the terms of Confederation to be proposed to Canada some such clause as the following: All public roads and property of British Columbia at the time of admission to belong to British Columbia, except such public works and property as shall properly belong to the Dominion under the British North America Act; and such portions of the main trunk line through British Columbia or other roads then constructed as may be necessary to complete a continuous line of coach road from a point at or below Yale to a point at the foot of the eastern slope of the Rocky Mountains and that the same shall be free of toll of any kind whatever.

Hon MR. RING—I agree that some road tolls ought to be kept up.

Hon. MR. HUMPHREYS—My only object is to bring this matter before the Executive. I cannot agree with the honorable member for Yale. I have not opposed any proposition of any man from personal motives.

Hon. MR. BARNARD—I oppose the motion of the honorable member for Lillooet. I think it does not meet the question.

Hon. ATTORNEY GENERAL—The objection to the whole matter in shape of a resolution is that by talking of road tolls we raise expectations we cannot probably fulfil. I had hoped honorable members would not press the subject. I assure the honorable gentleman that the petitions sent up have been the subject of earnest consideration. I attach weight to what the honorable member for Yale says in this House, and regret that such a feeling should go abroad.

Hon. DR. CARRALL—I, as member for Cariboo, should say something upon this matter. I have some doubt upon it. I would say this much as a member of the Government, that is, that many of their solutions brought up here and vetoed will probably form the subject of negotiations with the delegation in settling the terms. They will be a sort of substratum. I regard the taxing of those who use roads as the proper means for the keeping up the road, and furthermore, I fear to overload the terms.

Hon. MR. HOLBROOK—For such roads as were made on the petition of the people, tolls are justifiable, but tolls should not be kept up after the debt is defrayed. No doubt when this road comes under the rule of Canada she will construct turnpikes. Our road tolls are too high.

Hon. MR. ROBSON—I regret the absence of the Hon. Chief Commissioner. I think that he has an impression that some such resolution as this is necessary. I regret that the matter was brought up to-day at all.

Hon. ATTORNEY GENERAL—I proposed that the matter should be left open until Monday.

Hon. MR. ROBSON—Then let it be left open.

Hon. ATTORNEY GENERAL—I have pointed out the Hon. Chief Commissioner's objections. He says that the road can be better kept up by the local than the Dominion Government. I regret the absence of the Hon. Chief Commissioner. He did not state to me any certain impression, but I am sure he would have been glad to have joined in the discussion. It has, I have no objection to state, been discussed in Executive Council, and this discussion will do good. I must oppose such resolution going up to the Governor, for it may create expectations which, when the terms go to the polls, cannot be fulfilled.

Hon. MR. DECOSMOS—I have no doubt when the terms come to the polls there will be one howl of discontent at the financial part of them from Cariboo to New Westminster. I wish to see roads toll free, but I do not wish to see the Dominion Government taking charge of our local interests, such as tolls. With regard to terms, I say that the financial terms will kill confederation when it comes to the polls. The people from Cariboo to New Westminster want these road tolls abolished.

Hon. MR. ROBSON—The Hon. Attorney General suggests, on behalf of the hon. Chief Commissioner, that we shall use the revenue; but this is a gain if we get free from



the maintenance of the roads. The Government should consider themselves part of the people, and endeavor to relax taxes. Another objection is, that under this arrangement roads would not be kept in repair so well as at present. I say, under Confederation, the Chief Commissioner of Lands and Works would have control of roads. The Dominion Government is less likely to be penurious than a local Government. The hon. Chief Commissioner spoke to me after making that objection, and my distinct impression is that the hon. gentleman would support some such proposition as this. We ask what is in perfect harmony with reason. We may just as well ask Canada to do the whole thing and to maintain the whole road.

Hon. MR. RING—It astonishes me that hon. gentlemen are connecting revenue with these tolls. It can only be justifiable to keep tolls for the repair of roads.

Hon. DR. HELMCKEN—I am on the horns of a dilemma. If I vote for road tolls, being taxable, I shall be told I want to make the taxes too heavy; if against them, I shall be told I am against confederation.

Hon. MR. WALKEM—Sir: I have made few speeches during this debate, but this is a question on which I must ask leave to say a few words. Session after session the question has been brought down. We have had always a large Victoria element, and this question has, unfortunately, always taken a Victoria and Mainland issue. I have studied this matter carefully. With regard to the acts themselves they are very strong; they commence with preambles, as to construction, maintenance and repairs. The toll was not mentioned as to continue merely until the debt was extinguished, therefore I think the vote should be taken on another view. The benefits accrue equally to Victoria and the upper country; properly the farmer gets the lion's share; I know the upper country pretty well; formerly the miner used nothing outside of bacon and flour. This should not be made an Island and Mainland question.

Hon. DR. HELMCKEN—I do not regard the subject as a joke. We have paid \$60,000 for roads on Vancouver Island—roads not one twentieth the length of those on the Mainland. Victoria gets more kicks than halfpence. Victoria pays the greater part of the tolls. I belong to a company who pay a large proportion. What do they propose in place of a road toll? Some one must pay it. Thirty thousand dollars per annum is required to keep roads in repair. I say Victoria and Vancouver Island are more concerned with what is for the good of the colony, generally, than any part of the Mainland.

Hon. MR. HUMPHREYS—I rise to bear testimony to the fairness of the hon. members for Vancouver Island in whatever concerns the Mainland. I have always seen a desire on the part of Vancouver Island members to legislate for the whole, and not for a part of the colony. I am as tired of this bickering as a member of the Mainland. I consider it our duty to be more united. If

the hon. members for New Westminster and Yale would talk less about injustice to the Mainland it would be better. I regret the action of the hon. member of Yale, it is factious.

Hon. MR. BARNARD—Vancouver Island has always made practical jokes of any questions from the Mainland.

Hon. MR. DeCosmos rose to order.

Hon. MR. BARNARD—I referred to the hon. gentleman for Victoria city. There are no road tolls on Vancouver Island. (Yes, a road tax!—hon. Dr. Helmcken.) As soon as the roads are paid for the people of the Mainland will, to a man, refuse to pay any more road tolls.

Every item has been used as a threat against confederation. I do not offer any such threat. I believe the upper country would accept confederation on the terms proposed. But if the Government expect that they will be able to collect this \$60,000 from the population of the upper country they are mistaken.

Hon. MR. DeCOSMOS—The hon. member for Yale is unjust to Vancouver Islanders. The whole of this colony is paying large sums of money of interest on debt on roads.

Hon. MR. BARNARD—I did not say what I did with reference to Vancouver Island members without consideration.

Hon. MR. ROBSON—I hope that Government members, in view of the absence of the hon. Chief Commissioner, will vote so as to allow this resolution to go forward.

Hon. ATTORNEY GENERAL—I must express a contrary hope.

The amendment of hon. Mr. Barnard was carried.

The Committee rose and reported the resolutions complete.

Council resumed and the resolutions passed in Committee were adopted except those with regard to the purchase of Alaska and the State of Maine.

### Wednesday, 6th April, 1870.

The hon. Attorney General, in the absence of the hon. Colonial Secretary, Presiding Member.

On motion, the House resolved itself into Committee of the Whole, to take into consideration the message of His Excellency the Governor respecting the provision to be made for the sending of Delegates to Ottawa.

Hon. MR. Ball in the Chair.

Hon. COLLECTOR OF CUSTOMS—Sir, I rise to move,

That suitable provision be made by this House for the payment of the expenses of the Delegates to be sent from this colony to Ottawa to negotiate the terms of the confederation of this colony with the Dominion of Canada.

This has been one of the preliminary steps taken by the other colonies before going into confederation. If it has been necessary in

other cases, it is certainly necessary for us. The expense is comparatively small, probably from \$2500 to \$5000, and the Governor has preferred to bring the matter before the Council now, instead of putting it into a supplementary estimate next season.

Hon. MR. RING—Sir, I beg to inquire why these resolutions cannot be transmitted by post. I do not see why the colony should be put to the expense of conveying the message; there is postal communication with Canada, and sufficient means of conveying to the Canadian Government what we have agreed upon. There can be no necessity to send hon. members to Ottawa. The fact of our doing so would lead to the presumption that confederation is agreed upon. I differ in that. I say the people want to have the terms before them. Let us first see whether the colony assents to confederation in the abstract. Why should we send three or four hon. and learned gentlemen—learned, no doubt. Why, I say, should we have the colony put to so much expense when it is in a state of poverty and bankruptcy. (No, no.) I say, dispatch the terms in the ordinary way by post.

Hon. MR. ROBSON—I hope, sir, it will not be necessary to fight our battles over again. This House has, in the name of the colony—(No, no, from hons. Ring and Drake.) Perhaps it will suit some hon. members better to say a majority of this House. (No, no.) Perhaps certain hon. members will have the decency to be quiet until their turn comes to speak. A majority of this House, an overwhelming majority, has decided upon terms. We shall get the consent of the Canadian Government to these or modified conditions, and then submit them to the people. That is the only way. If we were, as proposed by the hon. member for Nanaimo, to ask the people whether they wanted confederation, what would they say? (Mr. Ring—They would say 'No!'). They would say most emphatically, yes, on terms. They have said so for years. The Governor has adopted the usual course. These resolutions will go to the Canadian Government and come back, perhaps modified, and the people will then be asked if they will have confederation on these terms. The terms are now proposed to be sent to Ottawa. I cannot agree with the hon. member for Nanaimo that it would be cheaper to send them by post. The first outlay might be smaller, but it might cause delay, and in my opinion, British Columbia cannot afford delay. The telegraph might do, but it would cost more. It ought to be by delegation. I think the House is entitled to know who are to go. I presume the Government will be prepared to give us the names. I, for one, would be unprepared to vote a sum of \$2500, or more likely \$5000, if I thought the Governor would send Delegates who would not be acceptable to the people. I say that the people ought to be represented, and that particular members who will fairly represent the people on the responsible government question ought to go. I say that if the Dele-

gates are silent on responsible government, the Cabinet at Ottawa will raise it. If the Delegates say that British Columbia is not prepared for it, that it has been voted down, the Cabinet will say, because they have reason to believe that the people, or a large proportion of them, want it, and that they have had enough of discontent. I say that, although responsible government is not, strictly speaking, a condition it underlies and permeates the whole question.

Hon. COLLECTOR OF CUSTOMS—Nothing would be easier than to forward the resolutions by post to Canada. This has probably been done already; but on every one of the resolutions, as you all know, there are numerous points requiring explanations, and to make these effective the presence at Ottawa of Delegates on our part, understanding the question and authorised to act for us, would appear to be indispensable. I am inclined to think that the names of the Delegates are pretty well known, but I have no authority to mention them here. The governor has chosen them on his own responsibility, and he does not ask the Council to share that responsibility. For what purpose should the names be given? Does the Council wish to canvass the merits of each individual? What those gentlemen will say on the subject of responsible government I am not prepared to tell you, but I tell you this, that on that subject and on every other they will act with fairness and ability, with no discredit to themselves and with no discredit to us. I am ready at any rate to trust them so far as that. I hope this Council will trust them as the Governor has shown himself ready to trust them. Every year there are expenses that cannot be provided for except in the supplementary Estimates. This will doubtless be one of them. There will be no objectionable special tax, that I know of, proposed on this account. If there is, it will be time enough to oppose it when it comes. In the meantime you are asked simply to authorise the expenditure of a small sum of money for an object of infinite importance.

Hon. MR. HUMPHREYS—There is a mighty curious dust kicked up by great opposites when they meet. I think we shall see some of these gentlemen hoisted on their own petards. I have a pretty good idea who the gentlemen are, and I do not think they represent the people, especially in the matter of responsible government. I believe the Governor will act fairly and honorably, but I think he will not select men who will be acceptable to the people. My opinion is that the hon. Chief Commissioner, the hon. member for Victoria and the hon. Attorney General do not represent the people. Popular members will be untrue to themselves.

Hon. MR. DEWDNEY—The hon. member has had his guess. I do not desire to mention names. I would merely suggest that His Excellency be requested to select one of the Delegates from the Mainland.

Hon. CHIEF COMMISSIONER—My views on responsible government have been so often



expressed that there is no occasion to refer to them again, but I am astonished that after hon. members have told us that the people are a unit in favor of responsible government, they should be afraid to trust it to the people, or to the Council, which His Excellency has told you he will form after this Session. Why, then, are hon. members so desirous to weight down the terms? Are they afraid that the people will not be so unanimous at the polls in favor of responsible government? His Excellency has told you that, if allowed by Her Majesty's Government, he proposes to form a Council which will be representative. I, for one have no doubt about the permission. The question will then be left to that Council. Why are hon. members afraid to leave this question to the representatives of the people?

Hon. MR. HUMPHREYS—I will answer the hon. Chief Commissioner; we are not afraid of putting the question before the people, but I am afraid that members of that delegation will misrepresent the opinions of the people to the Canadian Government; I fear the people will not be represented.

Hon. MR. DRAKE—Mr. Chairman, I intend to oppose the resolution proposed by the hon. Collector of Customs. I think that if hon. members examine this message, in connection with His Excellency's speech, it is apparent that the resolution was sent down complete. This House was not allowed to alter them. The recommendations of hon. members were voted down. I think it would be better to send the resolutions by post as the resolutions of government; they are not the resolutions of this committee.

Hon. CHIEF COMMISSIONER—They are the resolutions of this House.

Hon. MR. DRAKE—No; only of the official majority. The expense is unnecessary; it is one which will be incurred to enforce the views of government. His Excellency asks that he should be authorized to expend a sum of money for this special purpose. A special tax is asked for. If we accede to this message we are assuming the responsibility. I would like to ask this question: Is the Delegation to take powers from this House or from the government?

Hon. CHIEF COMMISSIONER—I must reply without delay to one proposition. I would like the hon. gentleman to point out any one example or suggestion which, if defeated, was not defeated by a majority of, so called, popular members, with the exception of responsible government, in which there was a majority of, so-called, representative members. The hon. gentleman's remarks fall to the ground.

Hon. MR. HUMPHREYS—The mistake has been made at that end of the table. I think we are in duty bound to send delegates and raise the money. My only objection is that the names are withheld. I cannot understand why hon. members should vote against this message. I believe we are all agreed that delegates should go, but if names are not sent down, I must vote against it.

Hon. MR. DECOSMOS—Mr. Chairman, I scarcely expected a discussion upon this point; I should have supposed that this House would have voted the money at once. The question is whether this Delegation will be representative or not. I do not intend to offer any factious opposition. I am satisfied that the people will take means to send a people's delegation.

Hon. MR. BARNARD—Current report names the gentlemen. The object of sending by delegates is that the terms may be modified, if necessary. If unsatisfactory, will not the people have a right to say, "How could we expect anything better." Here are two members, recent converts, and one a decided opponent. How can a popular member go to his constituents after voting this money. The people are in earnest in this matter. I stand on the floor of this House a government contractor, and likely to support the government; but so long as I give a straight vote on Confederation my constituents cared not about anything else. On the Mainland we have been firm on Confederation all through, and the Mainland is ignored. The two hon. gentlemen at the head of this table represent the Island, and the two other hon. members represent the Island. The Mainland is not going to be satisfied, particularly when the hon. senior member for Victoria, who has consistently opposed and will oppose Confederation, is to be one of the delegation. For the first time in twenty years the hon. gentleman leaves this Island; he knows nothing about the interior of the country.

Hon. MR. DRAKE—The hon. Chief Commissioner stated that the whole of the recommendations were carried, except one, by the majority of the popular vote. I instance free port and the telegraph to the contrary.

Hon. CHIEF COMMISSIONER—I must explain that I spoke from recollection. I was not in the House.

Hon. MR. ROBSON—I claim that the official members who voted against responsible government must be struck out. But if we allow them to be counted, there is still a majority of six to three of the representative members in favor of responsible government; and I say that this resolution ought to be transmitted with such explanation as is necessary. With regard to responsible government being in the hands of the new Council, members will, we may presume, be elected for four years; consequently the question will, in all probability, be postponed for four years. And I say that those who keep back responsible government will run a great risk of having Confederation defeated at the polls. Some hon. members may desire such a result. If so I can understand the course they are taking. With regard to the individuals going on the Delegation, if we are to take the general rumor there is not one who will properly represent the Mainland. There are two recent converts, and one open opponent of Confederation, an implacable and politically unprincipled enemy to Confederation, leagueed with

some power, I won't say with the cloven footed gentleman, but with some power to defeat Confederation. The people will not be satisfied. It is extraordinary that the Governor should make such a selection, ignoring the whole Confederation party and the whole Mainland as a territory. I could not justify myself if I voted for this resolution, which will virtually be voting for three Island members, two recent converts and one—(No, no! from Dr. Helmcken)—well, I won't say it again. (Laughter.) I can understand a Government dishonest at heart pursuing this course, but I cannot understand a Government that is true to the cause doing so.

Hon. CHIEF COMMISSIONER—Mr. Chairman, hon. members seem to be in position of fighting shadows in the dark. If they are wrong in their suppositions all the words that have been spoken to-day are thrown away. I fully concur in what fell from the hon. Collector of Customs, that it is not proper that these names should be given. Hon. members who favor confederation should be the last to object to the Governor's selecting members.

Hon. Mr. Robson have faith in the threats of his Excellency in the matter of confederation. The only act that shook me and other confederationists was the appointment of the hon. member for Victoria city to the Executive Council. I believe his Excellency to be a confederate at heart. I will, in order to simplify matters, move to report progress, and ask leave to sit again, so that the Governor may have the opportunity of sending down names, or at all events, of satisfying the Mainland that their interests, and responsible government are cared for.

The motion to rise and report progress was lost.

Hon. MR. RING—I think this debate, if it may be so called, is quite uncalled for and unnecessary. It is ridiculous to bring up the names of men who may possibly go to Ottawa and discuss them; it ought not to be allowed. It is waste of time and lungs. I had prepared a resolution that the terms should be sent by post, but I see that it would be vain to put it to the vote. If delegates go they ought to be properly equipped. I shall not, therefore, oppose the vote.

Hon. MR. DEWDNEY—I agree with the hon. member for Nanaimo that this debate is waste of time. I think the Mainland will be represented.

Hon. MR. DECOSMOS—I think it is not a question whether Island or Mainland is represented. We want the views of different parties represented, leaving out the Mainland and Island.

Hon. MR. ROBSON—I express a hope that the Government will not press a Government vote.

Hon. ATTORNEY GENERAL—I can inform hon. members that I feel perfectly satisfied that the Governor will not send down names. The hon. member who names the delegates has better information than myself, the House having given unanimous adhesion to the terms, (No, no, I was the exception,—hon. Mr. DeCosmos.) at all events it was passed by a majority, and so becomes the act of the council. We could not expect Canada to send delegates here; they would be unable to refer to the Executive Council. It must injure the terms if in the debates of this House an expression of opinion goes forth to the world that the Governor has not Confederation truly at heart. The hon. member for New Westminster says that I am a convert, and that I represent Victoria. I am glad that the old idea that I leaned too much to New Westminster, is exploded. I should be sorry that it should run in the other direction. The hon. member for New Westminster has told us we cannot get responsible government, but he would not consent to make it a SINE QUA NON.

Hon. MR. ROBSON—I have never said that Confederation would be refused without responsible government.

Hon. ATTORNEY GENERAL—I have no doubt, I am not speaking from positive knowledge, but I have no doubt that the delegates will be clothed with full power to discuss all the suggestions made on this matter; if responsible government is started by the Canadian Cabinet it will receive full consideration.

Hon. HUMPHREYS—The people do not distrust His Excellency, but they do think that if certain members of the government are sent on this delegation they will endeavour to keep up the present system. I am satisfied that if the hon. members named are sent Confederation is killed.

Hon. Chief Commissioner said those who support Confederation are injuring the cause. I believe sir, that if a consistent supporter of confederation from the Island, and one from British Columbia are sent as this delegation, with one member of the Government, such a delegation would carry confidence even if the terms were modified. I propose to vote for this resolution. I hope the Delegates will be such as will give satisfaction. I contend that there are officials who would add weight to that delegation, and I should not like to see official members left out.

On division the resolution was carried, only one vote being against it.

On motion of the Hon. Chief Commissioner, Committee rose and reported resolution passed.

House adopted resolution.

Reported for the Government by  
W. S. SEBRIGHT GREEN.



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**APPENDIX B**

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**STANDING ORDERS OF THE LEGISLATIVE COUNCIL OF  
BRITISH COLUMBIA, 1867**

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**MEETINGS AND ADJOURNMENTS.**

1. The Council shall at each day's adjournment fix the day and hour for the next meeting as may be deemed most convenient for the dispatch of business.
2. As near as may be to the hour of meeting fixed for any particular day, the Member present who shall be first in order of precedence, shall take the Chair.

**ATTENDANCE OF MEMBERS.**

3. Nine Members inclusive of the Presiding Member shall be a quorum for the transaction of business; and in the event of a quorum not being present at the hour of meeting of the Council, it shall be lawful for the Presiding Member to summon any absent Members, and any Members so sent for and not attending forthwith shall be held to be guilty of contempt, unless he shall have obtained leave of absence from the Governor.
4. No Member shall depart the House without the leave of the Presiding Member; and upon the adjournment of the Council Members will keep their seats till the Presiding Member shall have left the Chair.
5. Any Member requiring leave of absence from the Council during its Session shall make application to the Governor personally, or by writing through the Presiding Member.
6. Immediately after the Presiding Member takes the Chair the Minutes of the proceedings of the previous day's sitting shall be read by the Clerk, in order that any error therein may be corrected, and when correct the same shall be approved and signed by the Presiding Member.

**RULES OF DEBATE.**

7. The Presiding Member shall preserve due order and decorum during each Session of the Council, and protect all the Members thereof in the enjoyment of all their rights and privileges. He shall decide all questions of order that may arise, giving his reasons for such decisions when required by any Member, and citing the rule applicable to the case; but otherwise without comment.
8. Every Member shall, in discussing any question, address the Chair, and shall stand while so doing; and should he wish to allude to the Speech or opinion of any other Member he must do so without naming him; Official Members may be designated by their appointments.
9. If any two or more Members rise to speak at the same time the President shall call on the person entitled in his opinion to pre-audience.
10. Upon any Member being called to order he shall take his seat till the question of order be decided.
11. No motion, except to adjourn or for the previous question shall be introduced, except the same be written in ink and contain the name of the mover and seconder.
12. Every motion shall be read by the mover thereof, standing in his place, upon which it shall be handed to the Clerk, who shall also read it, and it shall then be put to the Council by the Presiding Member, after which it shall be considered before the Council; but any motion may be withdrawn at any time, before a decision thereon, by the mover and seconder thereof, with the consent of the Council.
13. No Member shall speak more than once, except in explanation to the motion, except the mover thereof, who shall be allowed to reply.
14. After the reply of the mover of any motion, no further discussion shall be allowed thereon; but unless an amendment be moved thereto, it shall be immediately put to the vote, after which no Member shall speak or leave his seat, until the final vote is taken.
15. While any motion is under debate no other motion shall be entertained, except a motion to amend, to commit, to postpone, or to lay on the table, or a motion for the previous question, or to adjourn, which latter motion shall always be in order, except when the Council is in Committee of the whole.
16. A motion for commitment, until it is decided, shall preclude all amendments.
17. A motion to postpone, shall include a day for the further consideration of the question.
18. When a motion to lay on the table prevails, the matter so delayed may be called up again on any subsequent day, by the motion of any Member.

19. A motion for the previous question until it is decided, shall preclude all debate; and all motions for amendments or otherwise shall be put in the following words: "Shall the main question be now put?"

20. Any Member intending to introduce a Bill, Resolution, or other matter into the Council, shall give one day's notice of his intention.

21. In every case, an amendment which has been moved and seconded, shall be put before the original question, and every later amendment before a former one.

22. A motion to amend a proposed amendment cannot be put until the proposed amendment shall have taken the place of the original question, nor after it shall have been adopted, and no question can be put to the vote which is substantially the same as one on which the judgment of the Council has already been expressed in the current Session.

23. To prevent any misunderstanding in the Council, no Member shall be liable to answer for a motion made, or words spoken in the Council, unless it be at the same sitting, and before the adjournment; and the Council shall receive no information from without doors, of words spoken openly in the Council.

24. All imputations of improper motives shall be considered as being highly disorderly, and such conduct shall be minuted in the Journals, if it shall appear to a majority of the Council to be necessary.

25. An adjournment of the discussion of any question may be moved by a Member at any time, and if seconded, may be adopted or not by the majority.

26. No amendment shall be proposed upon an amendment which is under discussion.

27. No Member shall be allowed to read any Speech.

28. Every motion and amendment must be in writing, and must be seconded before it can be put to the vote.

#### ORDER OF BUSINESS.

29. The business of the Council shall be taken up and disposed of at each daily Session, in the following order:—

*First.*—Reading the Minutes.

*Second.*—Reading and referring Petitions, Memorials, and other Communications.

*Third.*—Notices of Motion.

*Fourth.*—Orders of the Day.

30. On the first day of the Session the Governor's Speech shall be read, with the Despatches, Bills, and other Documents accompanying it, and such reading shall be the first reading of the said Bills. The Committee to prepare an address on the Governor's Speech on opening the Session, shall then be appointed by the Presiding Member on motion in Council.

31. With the exception of questions of privilege, which shall take precedence of all others, all business shall be taken in the order in which it appears in the "Order Book," unless by permission of the President, on good reasons being shewn for such deviation.

#### BILLS—RESOLUTIONS.

32. Every Bill, except those sent down to the Council by the Governor, shall be introduced by leave granted to some Member, on motion therefor.

33. Every Bill before it passes, shall be read three times.

34. No Bill shall pass two readings on the same day, without the unanimous consent of the Council.

35. After the second reading of a Bill, the Council shall always resolve itself into a Committee of the whole Council on the same, for the purpose of discussing the provisions of the said Bill, and any amendments to be proposed thereto, and in such Committee the Bill shall be gone through clause by clause.

36. Excepting where amendments are proposed by the Governor, a Bill which has been reported from a Committee of the whole Council, and agreed to, shall not be recommended for the purpose of altering or reversing anything therein contained, but solely for the introduction of new or supplemental matter, in aid of the provisions of the Bill previously agreed to.

37. When a Bill has been passed by the Council, it shall be presented by the President, for Her Majesty's assent, to the Governor.

38. Whenever the Governor shall propose amendments to any Bill or Resolution sent up to him by the Council, the Council shall resolve itself into a Committee of the whole Council on the same; but the provisions of the said Bill or Resolution as previously passed by the Council, shall not then be taken into consideration, save in so far as the amendments proposed affect or have reference to the same.

39. When the Committee shall have reported to the Council on such proposed amendments, and the Council shall have come to a decision on such Report, a copy of the Resolution of the Council, giving the result of the determination, or requesting a conference, shall be forwarded to the Governor.

40. No Bill which has been rejected by the Council, shall be re-introduced during the same Session.

41. Upon the final reading and passage of any Bill, the same shall be certified by the signature of the Presiding Member.

42. It shall be in the power of the Governor to reserve Bills for Her Majesty's consideration, and to assent to them when so instructed, although the Council shall have been prorogued.

43. The Council may at any time request a conference with the Governor, particularly if there be matter to be considered which it might be detrimental to the interests of the Colony to have openly discussed in the first instance.

#### COMMITTEES.

44. The Council may resolve itself into a Committee of the whole for the consideration of any Bill or any other matter, upon the motion of a Member. When any such motion prevails, the Presiding Member may leave the Chair, appointing one of the Members as Chairman of the Committee.

45. When the Committee rise, which shall be by motion of some Member, and decided without debate, the Chairman shall report to the Presiding Member all amendments and resolutions adopted therein, who shall immediately refer the same to the Council for concurrence.

46. When any report of the Committee of the whole shall be submitted to the Council, as provided by the last preceding rule, no discussion shall be had thereon, and no amendment made thereto, but it shall be either adopted or rejected, or referred back with instructions, or postponed to a time to be fixed for asking the concurrence of the Council.

47. Select Committees may be granted upon motion of any Member, the selections to be made by the Presiding Member, unless named in the motion granting the same; provided, always, that the Member moving for a Select Committee shall in all cases be a member thereof.

48. A majority of the whole number of Members chosen to compose any Committee, shall form a quorum thereof; the first Member named to be Chairman of the Committee.

49. The Reports of all Special and Select Committees shall be submitted to the Council in writing, bearing the date of the day of their adoption, and the signature of the Chairman thereof.

50. No discussion shall be allowed upon the reception of the Report of any Committee, but the same shall be forthwith either adopted or rejected, or referred to a Committee of the whole, or laid on the table, or deferred to some future time to be fixed by the Council.

#### PETITIONS.

51. Petitions may be presented to the Presiding Member by any Member, immediately after the Chair is taken; provided that there shall be endorsed upon it a certificate signed by the Members presenting the same, or some other Member of Council, that in his opinion the Petition is throughout perfectly respectful and deserving of presentation, and that the statements contained therein are generally correct.

52. It shall be competent to any Member to move that such Petition be read; but in making such motion he shall state concisely the purport of the Petition, together with his reasons for wishing to have the same read, and the motion being seconded, the question shall be put whether the Petition be read.

53. No debate shall take place on presentation of any Petition, except as to receiving or reading such Petition, and every Petition after being received shall be laid on the table of the Council, for at least one day before it is again taken up and disposed of.

54. In any case where individual rights or interests may be peculiarly affected by any proposed Ordinance, all parties so affected may be heard before the Council when in Committee upon such Ordinance, either in person or by Counsel.

#### MISCELLANEOUS.

55. Whenever a division is taken upon any question before the Council, it shall be the duty of every Member present to vote on the same; and any present Member who shall not distinctly give his vote on either side, shall be considered as giving his vote in the affirmative, and shall be counted among the Ayes accordingly.

56. Upon any division which may take place, the Ayes and Nays shall be taken down by the Clerk, if any one Member shall so desire.

57. Whenever leave shall be given to any Member to introduce a Bill, Resolution, or other matter, a day shall be appointed for the introduction thereof, and all such appointments shall be entered in a Book, to be entitled "Order Book," and notified on a Board, to be entitled "Order of the Day," and to be affixed to the door of the House.

58. All dropped Orders of the day must be considered dropped, and brought up again in the usual way. Messages and Bills, and other Documents from the Governor, shall be read at the time they are received, or as soon as practicable; but the Council cannot adjourn until the Message, Bill, or Document has been read to the Council.

59. When any motion has been made and seconded, it shall be put to the vote whether the matter be debated or not.

60. On the motion of any Member, though not seconded, "That Strangers do withdraw," such Strangers must withdraw, including the Press.

#### CLERK.

61. It shall be the duty of the Clerk of the Council to make Minutes of the Votes, Resolutions, Addresses, Orders, Reports, Divisions, and all other proceedings of the Council, and to preserve the original Documents; to prepare for the use of the Printer copies of the Votes, and of all Papers and Documents directed to be printed therewith; to see that they be correctly printed and distributed to the Members; to read aloud all such Documents as the Council may order to be read, with the exception of Messages from the Governor, which must always be read by the Presiding Member.

#### SUSPENSION OF STANDING ORDERS.

62. Should any emergency arise, it is in the power of the Council to suspend the foregoing Standing Orders for the time being, by unanimous vote.



**APPENDIX C**

**COLONIAL ESTIMATES OF THE COLONY OF  
BRITISH COLUMBIA,  
1867-1871**

1867

**COLONIAL ESTIMATES,  
BRITISH COLUMBIA.**

**A. & B.**

**A.**

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the Year 1867, showing also the Revenue received under the similar heads in the Year 1865, being the year previous to that in which the Estimates are prepared.

	Estimate for 1867.	Revenue of 1865.
Customs .....	\$ 400,000	\$ 359,354
Port and Harbour Dues .....		29,542
Roads' Tolls .....	80,000	83,048
Excise Duties .....	1,000	947
Land Sales .....	12,000	6,432
Land Revenue .....	3,000	4,259
Rents, exclusive of Land .....	2,500	1,243
Free Miners' Certificates .....	18,000	12,567
Mining Receipts, General .....	18,000	21,314
Licences .....	60,000	25,195
Postage .....	12,000	8,859
Fines, Forfeitures, and Fees of Court .....	14,000	7,145
Fees of Office .....	8,000	6,349
Sale of Government Property .....	500	3,153
Reimbursement in aid of Expenses incurred by Government .....	10,100	8,020
Miscellaneous Receipts .....	250	11,487
Interest .....		3,545
Arrears of Taxation, due by Vancouver Island .....	36,000	
<b>TOTAL</b> .....	<b>\$ 675,350</b>	<b>\$ 592,459</b>

## B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia, for the Year from 1st of January to the 31st December, 1867, showing also the amount actually expended in the Year previous to that in which the Estimates are prepared, viz. 1865.

Item of Estimate.		Salaries.		Allowances.	Office Contingencies.	Estimate for the year 1867.	Expenditure of 1865.
		Fixed Establishment.	Provisional & Temporary.				
1	Establishments \$	156,124 55	2,865 00	750 00	9,275 00	169,014 55	195,369 62
2	Pensions, Retired Allowances, and Gratuities					3,395 00	727 50
3	Revenue Services, exclusive of Establishments					600 00	2,056 18
4	Administration of Justice, Do.					7,800 00	9,849 28
5	Ecclesiastical Do.						
6	Charitable Allowances					9,500 00	8,054 41
7	Education, exclusive of Establishments					10,000 00	4,242 44
8	Hospitals Do.						
9	Police and Gaols Do.					14,900 00	15,545 20
10	Rent					800 00	1,881 01
11	Transport					7,260 00	22,237 59
12	Conveyance of Mails					52,820 00	36,445 61
13	Works and Buildings					11,400 00	86,266 48
14	Roads, Streets, and Bridges					45,000 00	280,927 72
15	Miscellaneous Services					5,612 25	31,397 41
16	Interest					89,440 00	64,034 67
17	Drawbacks and Refund of Duties, &c.					600 00	2,311 11
18	Immigration						
19	Redemption of Bonds					42,125 00	31,040 00
20	Sinking Fund					40,770 00	33,123 44
21	Temporary Loans					170,000 00	
22	Government Vessels					10,674 00	
23	Lighthouses					10,000 00	
	TOTALS					\$ 701,710 80	825,509 67

Vancouver Island Expenditure, 1st January to 15th December, 1865, the latest date to which Vancouver Island Accounts are made up \_\_\_\_\_ 270,526 49

\$1,096,036 16

## No. 1.—ESTABLISHMENTS DETAILED.

## CIVIL.

## HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
The Governor (provided under Crown Officers' Salaries Acts.)	
Private Secretary .....	\$1,450
Messenger .....	485
	<u>1,935</u>
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	100
Extra Assistance .....	500
	<u>600</u>
Total His Excellency the Governor .....	\$2,535

## LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk .....	\$600
	Provisional and Temporary.
Messenger .....	200
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, Fuel, Light, &c. ....	400
Total Legislative Council .....	<u>\$1,200</u>

## COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary (provided under "Crown Officers' Salaries Act, 1863.")	
Chief Clerk .....	\$1,940
Clerk .....	1,450
Clerk .....	1,220
Messenger .....	250
	<u>4,860</u>
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	750
PRINTING BRANCH.	
SALARIES.	Fixed Establishment.
Superintendent .....	1,220
Two Printers, \$875 each .....	1,750
Assistant Printer and Messenger Legislative Council .....	530
	<u>3,500</u>
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	750
Total Colonial Secretary .....	<u>\$9,860</u>

## ESTABLISHMENTS DETAILED.

## CIVIL.

## TREASURER.

SALARIES.	Fixed Establishment.
Treasurer (provided under "Crown Officers' Salaries Act, 1863," if required.)	
Chief Clerk .....	\$1,700
Clerk .....	1,450
Clerk .....	1,220
Messenger .....	250
	4,620
	Provisional and Temporary.
Sub-Accountant, Victoria .....	
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	400
Total Treasurer .....	\$5,020

## ASSAY AND REFINERY OFFICE.

SALARIES.	Fixed Establishment.
Superintendent of Assay .....	\$2,300
Chief Melter .....	1,450
	3,750
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, Fuel, Chemicals, &c. ....	200
Total Assay and Refinery Office .....	\$3,950

## AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General .....	\$2,400
Chief Clerk .....	1,450
	3,850
	Provisional and Temporary.
Clerk .....	1,200
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	200
Total Auditor General .....	\$5,250

## CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner of Lands and Works and Surveyor General (provided under "Crown Officers' Salaries Act, 1863.")	
Assistant Surveyor General and Superintendent of Light-Houses, resident at Victoria .....	\$1,900
Clerk .....	1,220
Clerk .....	1,220
Draughtsman .....	1,220
Messenger .....	250
	5,810
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c. ....	500
Total Chief Commissioner of Lands and Works and Surveyor General .....	\$6,310



## ESTABLISHMENTS DETAILED.

## CIVIL.

## CUSTOMS.

SALARIES.	Fixed Establishment.
Collector of Customs (provided under "Crown Officers' Salaries Act, 1863.")	
Chief Clerk .....	\$1,800 00
Clerk .....	1,450 00
Messenger .....	250 00
Deputy Collector, Southern Boundary .....	1,700 00
	5,200 00
OUT-DOOR DEPARTMENT.	
Revenue Officer, Victoria .....	1,700 00
Landing Waiter .....	1,450 00
Landing Waiter .....	1,000 00
Two Boatmen .....	1,396 80
	5,546 80
Deputy Collector Burrard Inlet .....	Provisional and Temporary. 250 00
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery \$125, Fuel and Light \$100 .....	225 00
Total Customs .....	\$11,221 80

## REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General and Postmaster General (provided under "Crown Officers' Salaries Act, 1863.")	
Registrar General, Victoria .....	\$1,940
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c., \$100, Temporary Assistance \$250 .....	350
Total Registrars General .....	\$2,290

## HARBOUR MASTER.

SALARIES.	Fixed Establishment.
Harbour Master, Government Pilot, and Superintendent of Light Ship .....	\$1,800
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Total Harbour Master .....	\$1,800

## POST OFFICE.

SALARIES.	Fixed Establishment.
Deputy Postmaster and Harbour Master, Victoria .....	\$1,450
Deputy Postmaster, Williams Creek .....	970
Clerk and Messenger .....	750
	3,170
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery \$100, Fuel and Light \$150 .....	250
Total Post Office .....	\$3,420

## ESTABLISHMENTS DETAILED.

## CIVIL.

TOTAL OF CIVIL ESTABLISHMENTS REQUIRED UNDER VOTES.....	\$52,856 80
His Excellency the Governor .....	\$2,535 00
Legislative Council .....	1,200 00
Colonial Secretary .....	9,860 00
Treasurer .....	5,020 00
Assay and Refinery Office .....	3,950 00
Auditor General .....	5,250 00
Chief Commissioner of Lands and Works and Surveyor General .....	6,310 00
Customs .....	11,221 80
Registrar General .....	2,290 00
Harbour Master .....	1,800 00
Post Office .....	3,420 00
	<u>\$52,856 80</u>

## JUDICIAL.

## SUPREME COURT.

SALARIES.	Fixed Establishment.
Judge of Supreme Court (provided under "Crown Officers' Salaries Act, 1863.")	
Do., .....	\$5,820
Registrar .....	1,450
Deputy Registrar .....	1,220
	<u>8,490</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, &c., .....	500
Total Supreme Court .....	<u>\$8,990</u>

## ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General (provided under "Crown Officers' Salaries Act, 1863.")	
Clerk .....	1,220
	<u>Provisional and Temporary.</u>
Solicitor General during Session of Legislative Council .....	485
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery \$200, Fuel and Light \$50 .....	250
Total Attorney General .....	<u>\$1,955</u>

## HIGH SHERIFF.

ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
In lieu of Travelling Expenses .....	\$750

TOTAL JUDICIAL ESTABLISHMENTS .....	\$11,695
Supreme Court .....	\$8,990
Attorney General .....	1,955
High Sheriff .....	750
	<u>\$11,695</u>

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 ESTABLISHMENTS DETAILED.
 

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## POLICE, INCLUDING PRISONS AND GAOLS.

## NEW WESTMINSTER.

SALARIES.	Fixed Establishment.
<b>POLICE.</b>	
Chief Inspector of Police, acting as Magistrate (provided under "Crown Officers' Salaries Act, 1863.")	
High Constable .....	970
Two Constables at \$700 each .....	1,400
Toll Collector and Constable at Douglas .....	1,080
	<hr/> 3,450
<b>GAOL.</b>	
Warden .....	1,220
Two Gaolers at \$700 each .....	1,400
Medical Officer .....	500
	<hr/> 3,120
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, Indian Messenger, &c., .....	300
	<hr/>
Total New Westminster District .....	\$6,870

## MAGISTRATE AT VICTORIA.

SALARIES.	Fixed Establishment.
Magistrate .....	\$2,250 00
Clerk .....	1,000 00
One Serjeant of Police .....	900 00
Three Constables at \$1.75 each per diem .....	1,916 25
	<hr/> 6,066 25
<b>GAOL.</b>	
Gaoler .....	912 50
Assistant Gaoler .....	730 00
Superintendent of Convicts .....	912 50
Two Convict Guards at \$638.75 each .....	1,277 50
Two Door Guards, and one Cook, at \$547.50 each .....	1,642 50
Medical Officer .....	600 00
	<hr/> 6,075 00
ALLOWANCES.—Nil.	
CONTINGENCIES.	
Stationery, &c., .....	200 00
	<hr/>
Total Victoria .....	\$12,341 25

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 GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY  
MAGISTRATES.
 

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## COLUMBIA AND KOOTENAY DISTRICT.

SALARIES.	Fixed Establishment.
Gold Commissioner .....	\$3,400
Assistant Gold Commissioner, Kootenay .....	2,425
Clerk to Gold Commissioner .....	1,940
Constable, Do. ....	1,400
Clerk and Constable, Kootenay .....	1,700

## ESTABLISHMENTS DETAILED.

GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY  
MAGISTRATES

SALARIES.		Fixed Establishment.
Constable, Do.	_____	1,400
Clerk and Constable, Fort Shepherd	_____	1,400
Constable, Osoyoos	_____	1,220
		<u>14,885</u>
ALLOWANCES.— <i>Nil</i> .		
CONTINGENCIES.		
Stationery \$500, Fuel and Light \$700	_____	1,200
Total Columbia and Kootenay District	_____	<u>\$16,085</u>

## CARIBOO, INCLUDING QUESNEL.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner &c.,	_____	\$3,400
Clerk	_____	1,940
Chief Constable	_____	1,940
Two Constables at \$1,450 each	_____	2,900
One Do. Quesnel	_____	1,220
		<u>11,400</u>
ALLOWANCES.— <i>Nil</i> .		
CONTINGENCIES.		
Stationery \$300, Fuel and Light \$700	_____	1,000
Total Cariboo, including Quesnel	_____	<u>\$12,400</u>

## HOPE, YALE, AND LYTTON DISTRICT.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner	_____	\$2,400
Chief Constable, Yale	_____	1,220
Constable	_____	1,000
Chief Constable, Lytton	_____	1,100
Toll Collector, Yale	_____	1,164
		<u>6,884</u>
ALLOWANCES.— <i>Nil</i> .		
CONTINGENCIES.		
Stationery \$200, Fuel and Light \$350	_____	550
Total Hope, Yale, and Lytton District	_____	<u>\$7,434</u>

## LILLOOET, CLINTON, AND SODA CREEK.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.,	_____	\$2,400
Chief Constable	_____	1,150
Constable, Postmaster, and Toll Collector, at Clinton	_____	1,000
		<u>4,550</u>
ALLOWANCES.— <i>Nil</i> .		
CONTINGENCIES.		
Stationery \$125, Fuel and Light \$375	_____	500
Total Lillooet, Clinton, and Soda Creek District	_____	<u>\$5,050</u>



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 ESTABLISHMENTS DETAILED.
 

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 GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY  
MAGISTRATES

## NANAIMO.

SALARIES.		Fixed Establishment.
Magistrate and Collector of Revenue	_____	1,700
		Provisional and Temporary.
Constable	_____	730
ALLOWANCES.— <i>Nil.</i>		
CONTINGENCIES.		
Stationery, &c.,	_____	150
Total Nanaimo District		<u>\$2,580</u>

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## No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries.		Allowances.	Office Con- tingencies.	TOTAL.
	Fixed Establishment.	Provisional and Temporary.			
CIVIL ESTABLISHMENTS:					
Crown Officers' Salaries, as pro- vided by Acts	47,045 00				47,045 00
Governor	1,935 00			600	2,535 00
Legislative Council	600 00	200		400	1,200 00
Colonial Secretary	8,360 00			1,500	9,860 00
Treasurer	4,620 00			400	5,020 00
Assay and Refinery Office	3,750 00			200	3,950 00
Auditor General	3,850 00	1,200		200	5,250 00
Chief Commissioner of Lands & Works, &c.	5,810 00			500	6,310 00
Customs	10,746 80	250		225	11,221 80
Registrar General	1,940 00			350	2,290 00
Harbour Master	1,800 00				1,800 00
Post Office	3,170 00			250	3,420 00
JUDICIAL ESTABLISHMENTS:					
Supreme Court	8,490 00			500	8,990 00
Attorney General	1,220 00	485		250	1,955 00
High Sheriff			750		750 00
POLICE ESTABLISHMENTS	18,711 25			500	19,211 25
GOLD, ASSISTANT GOLD COMMISSION- ERS, AND STIPENDIARY MAGIS- TRATES:					
Columbia and Kootenay	14,885 00			1,200	16,085 00
Cariboo, including Quesnel	11,400 00			1,000	12,400 00
Hope, Yale, and Lytton	6,884 00			550	7,434 00
Lillooet, Clinton, and Soda Creek	4,550 00			500	5,050 00
Nanaimo	1,700 00	730		150	2,580 00
Deduct proposed Refunds by Crown Officers;	161,467 05	2,865	750	9,275	174,357 05
His Excellency the Gover- nor	\$2,500 00				
Colonial Secretary	} 2,842 50				
Attorney General					
Treasurer					
Chief Cmmr. Lands & Works					
Collector of Customs					
Chief Inspector of Police					
Registrar General					
	5,342 50				5,342 50
TOTAL ESTABLISHMENTS	156,124 55	2,865	750	9,275	169,014 55

## No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Pension to D. Cameron, Esq., retired Chief Justice, Vancouver Island	2,425
Do. Mrs. D. McLean	485
Do. Mrs. J. D. B. Ogilvy	485
Total Pensions, &c.	\$3,395

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### No. 3.—REVENUE SERVICES (exclusive of ESTABLISHMENTS).

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Travelling Expenses of Officers on duty .....	500
Trades Licences, Victoria .....	100
Total Revenue Services (exclusive of Establishments) .....	\$600

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### No. 4.—ADMINISTRATION OF JUSTICE (exclusive of ESTABLISHMENTS).

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Summoning Jurors and Witnesses, and other Contingencies .....	\$1,450
Prosecution and Interpreters' Fees, &c. ....	1,750
Expenses of Judge and Registrar on Circuit .....	4,000
Expenses attending Inquests, &c., New Westminster and Victoria .....	600
Total Administration of Justice .....	\$7,800

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### No. 5.—*Nil.*

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### No. 6.—CHARITABLE ALLOWANCES.

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In aid of Hospitals .....	\$9,000
In aid of the destitute Poor and sick .....	500
Total Charitable Allowances .....	\$9,500

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### No. 7.—EDUCATION (exclusive of ESTABLISHMENTS).

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District Schools .....	\$10,000
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### No. 8.—*Nil.*

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### No. 9.—POLICE AND GAOLS (exclusive of ESTABLISHMENTS).

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New Westminster,—Keep of Prisoners and other Police expenditure at this Station ...	\$6,700
Victoria. Do. Do. Do. ....	4,950
Nanaimo. Do. Do. Do. ....	500
Columbia and Kootenay Do. Do. Do. ....	500
Cariboo. Do. Do. Do. ....	1,000
Hope, Yale, and Lytton. Do. Do. Do. ....	750
Lillooet. Do. Do. Do. ....	500
Total Police and Gaols (exclusive of Establishments) .....	\$14,900

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### No. 10.—RENT.

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Rent, Government House, Victoria .....	\$ 50
Do., Court House, &c., Lillooet .....	250
Do., Harbour Master's Office, Victoria .....	400
Do., Gaol, Nanaimo. ....	100
Total Rent .....	\$800

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## No. 11.—TRANSPORT.

*His Excellency the Governor.*

Expenses, visiting Victoria, tours in the Interior, &c. ....	\$2,500
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*Colonial Secretary.*

Expenses of tours in the Interior, visiting Victoria, &c. ....	500
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*Treasurer.*

Freight upon remittances of treasure .....	250
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*Auditor General.*

Travelling expenses Inspecting Accounts \$200, Freight upon Accounts to England \$60 .....	260
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*Chief Commissioner Lands and Works.*

To Inspector of Steamers .....	750
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*Gold and Assistant Gold Commissioners.*

Actual travelling expenses of Officers on duty .....	2,000
Keep of horses throughout the Colony .....	1,000

Total Transport .....	\$7,260
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## No. 12.—CONVEYANCE OF MAILS.

## Ocean Mail Service

To and from San Francisco, (Arrears, Vancouver Island) .....	\$15,000
To and from Victoria and New Westminster .....	4,500
To and from Victoria and New Westminster (Arrears, Vancouver Island) .....	1,000
To and from Victoria and Esquimalt .....	420
To and from Victoria, Nanaimo, Comox, &c., .....	4,200
To and from Cariboo, Columbia, &c., .....	25,000
To and from Columbia, (per Steamer <i>Marten</i> ) .....	2,400
To and from Victoria and Saanich .....	300

Total Conveyance of Mails .....	\$52,820
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## No. 13.—WORKS AND BUILDINGS.

Leech River Ditch ..	\$5,600
Repairs to Buildings .....	5,000
Fog Bell, Race Rocks .....	800

Total Works and Buildings .....	\$11,400
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## No. 14.—ROADS, STREETS, AND BRIDGES.

Repairs to Roads throughout the Colony .....	\$45,000
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### No. 15.—MISCELLANEOUS SERVICES.

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Expenses connected with Indian Tribes, &c. _____	\$1,000 00
Aid to Fire Companies _____	1,000 00
Do. Public Libraries _____	1,500 00
Taking charge of Government House and Grounds, Victoria _____	500 00
Insurance, Government Buildings, Do. _____	1,000 00
Do. Do. Do. New Westminster _____	225 00
Expense of Telegram from House of Assembly to Imperial Government _____	187 25
Completing the Audit of Treasurer's Books, Vancouver Island _____	200 00
Total Miscellaneous Services _____	\$5,612 25

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### No. 16.—INTEREST.

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Interest on Loan of 1862 _____	\$14,550
Do. 1863 _____	14,550
Do. 1864 _____	29,100
Interest on Temporary Loans _____	10,000
Interest on Vancouver Island Loan of 1862 _____	11,640
Do. Temporary Loan from Bank, and on Debentures _____	9,600
Total Interest _____	\$89,440

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### No. 17.—DRAWBACKS AND REFUND OF DUTIES, &c.

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Of Customs Duties _____	\$500
Of other Taxes _____	100
Total Drawbacks and Refund of Duties, &c., _____	\$600

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### No. 18.—*Nil.*

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### No. 19.—REDEMPTION OF BONDS.

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Cook's Ferry and Clinton Road Bonds _____	\$12,125
Vancouver Island Debentures, due 31st December, 1867 _____	30,000
Total Redemption of Bonds _____	\$42,125

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### No. 20.—SINKING FUND.

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In Redemption of £50,000 Loan, 1862 _____	\$20,400
Do. Do. 1863 _____	7,275
Do. £100,000 1864 _____	7,275
Vancouver Island Loan of 1862 _____	5,820
Total Sinking Fund _____	\$40,770

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No. 21.—TEMPORARY LOANS.

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Bank of British Columbia, &c., \_\_\_\_\_ \$170,000

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No. 22.—GOVERNMENT VESSELS.

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Sir James Douglas—Pay of Crew \_\_\_\_\_ \$5,174  
Coals, and other articles \_\_\_\_\_ 5,500  
Total Government Vessels \_\_\_\_\_ \$10,674

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No. 23.—LIGHTHOUSES.

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Race Rocks and Fisguard—Salaries, Stores, and general maintenance of Lighthouses .. \$5,500  
Light-Ship, mouth of Fraser River \_\_\_\_\_ 4,500  
Total Lighthouses \_\_\_\_\_ \$10,000

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SUMMARY OF THE FOREGOING ESTIMATES, SHOWING THE TOTAL CHARGE  
FOR EACH DEPARTMENT, so far as the same can be apportioned.

	Establishments.	Pensions, Retired Allowances, and Gratuities.	Revenue Services.	Administration of Justice.	Eccelesiastical.	Charitable Allowances.	Education.	Hospitals.	Police and Gaols.	Rent.	Transport.	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Interest.	Drawbacks & Re-fund of Duties, &c.	Immigration.	Redemption of Bonds.	Sinking Fund.	Temporary Loans.	Government Vessels.	Light Houses.	TOTAL.
CIVIL ESTABLISHMENTS.																								
Governor	19435 00										50 2500				725									22,710 00
Legislative Council	1200 00																							1,200 00
Colonial Secretary	13240 00										500													13,740 00
Treasurer	7657 50		100								250					89440	100		42125	40770	170000			350,442 50
Assay and Refinery Office	3950 00														200									3,950 00
Auditor General	5250 00										260													5,710 00
Chief Commissioner of Lands and Works	9490 00										750		11400	45000								10674	5500	82,814 00
Customs	14221 80		50														500							15,221 80
Registrar General	4590 00																							4,590 00
Harbour Master	1800 00									400													4500	6,700 00
Post Office	3470 00											52820												56,240 00
Judicial Establishments	1970 00	2425	7200																					29,325 00
Eccelesiastical Establishments																								
Education Establishments																								
Police Establishments	21511 25		600						11650															33,761 25
Gold, Asst. Gold Coms. & Stipry.	43549 00								3250 350	3000														50,149 00
Magistrates		970																						970 00
Pensions, &c.																								9,500 00
Charitable Allowances						9500																		10,000 00
Education							10000																	
Hospitals																								
Works and Buildings																								
Roads, Streets, and Bridges																								
Miscellaneous																								
Government Vessels																								
Light Houses																								
TOTAL	169014 55	3395	600	7800		9500	10300		14900	800	7260	52820	11400	45000	5612 25	89440	600		42125	40770	170000	10674	10000	701,710 80

1868

**COLONIAL ESTIMATES,  
BRITISH COLUMBIA.**

**A. & B.**

**A.**

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the Year 1868, showing also the Revenue received under the similar heads in the Year 1866, being the Year previous to that in which the Estimates are prepared.

	Estimate for 1868.	Revenue of 1866, Mainland.
Customs _____ } Port and Harbour Dues _____ }	\$350,000	\$247,752 93
Roads' Tolls _____	65,000	79,579 44
Excise Duties _____	1,000	909 10
Land Sales _____	3,000	6,616 03
Land Revenue _____	3,000	3,423 52
Rents, exclusive of Land _____	2,000	2,254 50
Free Miners' Certificates _____	16,000	18,008 70
Mining Receipts, General _____	21,000	20,237 47
Licences _____	60,000	27,436 31
Postage _____	15,000	7,601 92
Fines, Forfeitures, and Fees of Court _____	9,000	8,927 26
Fees of Office _____	4,000	2,976 25
Sale of Government Property _____	1,000	3,059 36
Reimbursement in aid of Expenses incurred by Government _____	13,000	2,013 43
Miscellaneous Receipts _____	1,000	2,171 50
Arrears, Vancouver Island _____	12,000	—
Interest _____	—	4,050 67
<b>TOTAL _____ \$</b>	<b>576,000</b>	<b>\$437,018 39</b>



## B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia, for the Year from 1st of January to the 31st of December, 1868, showing also the amount actually expended in the Year previous to that in which the Estimates are prepared, viz. 1866.

Item of Estimate.		Salaries.		Allowances.	Office Contingencies.	Estimate for the Year 1868.	Expenditure of 1866, Mainland.
		Fixed Establishment.	Provisional and Temporary.				
1	Establishments .....	\$ 155,360 55	.....	\$750 00	\$900 00	157,010 55	175,533 76
2	Pensions, Retired Allowances, and Gratuities .....					3,395	2,349 76
3	Revenue Services, exclusive of Establishments .....					500	2,127 34
4	Administration of Justice, Do. ....					5,200	5,828 25
5	Ecclesiastical, Do. ....						
6	Charitable Allowances .....					5,000	8,662 80
7	Education, exclusive of Establishments .....					6,000	2,343 42
8	Hospitals, Do. ....						
9	Police and Gaols, Do. ....					13,000	13,942 87
10	Rent .....					700	1,125 00
11	Transport .....					5,910	16,557 68
12	Conveyance of Mails .....					29,400	58,676 87
13	Works and Buildings .....					5,300	24,570 23
14	Roads, Streets, and Bridges .....					50,000	120,798 43
15	Miscellaneous Services .....					9,000	11,917 40
16	Interest .....					99,840	78,751 82
17	Drawbacks and Refund of Duties, &c. ....					1,100	946 25
18	Immigration .....						
19	Redemption of Bonds .....					40,000	8,487 50
20	Sinking Fund .....					50,197 50	47,765 88
21	Temporary Loans .....					70,000	29,375 00
22	Home Government Account .....						
23	Government Vessels .....					11,000	3,933 83
24	Lighthouses .....					10,000	
	TOTALS .....				\$	572,553 05	613,694 09

## No. 1.—ESTABLISHMENTS DETAILED.

## CIVIL.

## HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
The Governor (provided for under Crown Officers' Salaries Acts)	
Private Secretary .....	\$1,450
Messenger .....	500
	<u>1,950</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, &c. ....	100
Extra Assistance .....	500
	<u>600</u>
Total His Excellency the Governor .....	\$2,550

## LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk .....	\$600
Messenger .....	200
	<u>800</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Fuel, Light, &c. ....	100
	<u>900</u>
Total Legislative Council .....	\$900

## COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary (provided for under Crown Officers' Salaries Act.)	
Assistant Colonial Secretary .....	\$1,940
Clerk .....	1,450
Clerk .....	1,220
Messenger .....	250
	<u>\$4,860</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.	
Stationery, Fuel, and Light .....	200

## PRINTING BRANCH.

SALARIES.	Fixed Establishment.
Superintendent .....	\$1,220
Two Printers, \$900 each .....	1,800
Assistant Printer and Messenger Legislative Council .....	600
	<u>3,620</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Colonial Secretary .....	\$8,680

## TREASURER.

SALARIES.	Fixed Establishment.
Chief Clerk .....	\$1,900
Clerk .....	1,450
Clerk .....	1,200
Messenger .....	250
	<u>4,800</u>
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Treasurer .....	\$4,800

## ESTABLISHMENTS DETAILED.

## CIVIL.

## AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General .....	\$2,400
Chief Clerk .....	1,450
Clerk .....	1,200
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.— <i>Nil</i> .	
Total Auditor General .....	\$5,050

## CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner (provided for under Crown Officers' Salaries Act.)	
Assistant Surveyor General and Superintendent of Light Houses .....	\$1,900
Clerk .....	1,220
Draughtsman .....	1,220
Messenger .....	250
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.— <i>Nil</i> .	
Total Chief Commissioner Lands and Works and Surveyor General .....	\$4,590

## CUSTOMS.

SALARIES.	Fixed Establishment.
Collector of Customs (provided under Crown Officers' Salaries Act.)	
Chief Clerk .....	\$1,940 00
Clerk .....	1,450 00
Messenger .....	250 00
Deputy Collector, Southern Boundary .....	1,700 00
	5,340 00
OUT-DOOR DEPARTMENT.	
Revenue Officer .....	1,700 00
Landing Waiter .....	1,700 00
Do. ....	600 00
Do. Esquimalt .....	720 00
Two Boatmen and Watchmen, \$698.40 each .....	1,396 80
Deputy Collector, Burrard Inlet .....	250 00
Constable at Osoyoos .....	1,220 00
	7,586 80
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.— <i>Nil</i> .	
Total Collector of Customs .....	12,926 80

## REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General and Postmaster General (provided for under Crown Officers' Salaries Act.)	
Registrar General of Titles, Victoria .....	\$485
Assistant in Office .....	300
ALLOWANCES.— <i>Nil</i> .	
CONTINGENCIES.— <i>Nil</i> .	
Total Registrar General .....	\$785

## ESTABLISHMENTS DETAILED.

## CIVIL.

## HARBOUR MASTER.

SALARIES.	Fixed Establishment.
Harbour Master and Government Pilot .....	\$1,800
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Harbour Master .....	\$1,800

## POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster, Victoria .....	\$1,450
Clerk and Messenger, New Westminster .....	750
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Post Office .....	\$2,200

TOTAL OF CIVIL ESTABLISHMENTS REQUIRED UNDER VOTES ..... \$44,281.80

His Excellency the Governor .....	\$2,550 00
Legislative Council .....	900 00
Colonial Secretary .....	8,680 00
Treasurer .....	4,800 00
Auditor General .....	5,050 00
Chief Commissioner of Lands and Works and Surveyor General ...	4,590 00
Collector of Customs .....	12,926 80
Registrar General and Postmaster General .....	785 00
Harbour Master .....	1,800 00
Post Office .....	2,200 00
	<u>\$44,281 80</u>

## JUDICIAL.

## SUPREME COURT.

SALARIES.	Fixed Establishment.
Judge of Supreme Court (provided under Crown Officers' Salaries Act.)	
Do. Do. ....	
Registrar of Court, B.C. ....	\$1,450
Do. Do. V.I. ....	1,500
Messenger, V. I. ....	500
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Supreme Court .....	\$3,450

## ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General (provided for under Crown Officers' Salaries Act.)	
Clerical Assistance .....	\$500
ALLOWANCES.— <i>Nil.</i>	
CONTINGENCIES.— <i>Nil.</i>	
Total Attorney General .....	\$500



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 ESTABLISHMENTS DETAILED.
 

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## JUDICIAL.

## HIGH SHERIFF.

	SALARIES.— <i>Nil.</i> ALLOWANCES.	
In lieu of travelling expenses .....		\$750

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 TOTAL JUDICIAL ESTABLISHMENTS ..... \$4,700
 

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Supreme Court .....	\$3,450
Attorney General .....	500
High Sheriff .....	750
	<hr/>
	\$4,700

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## POLICE, INCLUDING PRISONS AND GAOLS.

## NEW WESTMINSTER.

## POLICE.

	SALARIES.	Fixed Establishment.
Chief Inspector of Police (provided for under Crown Officers' Salaries Act.)		
High Constable .....		\$970 00
Two Constables, \$700 each .....		1,400 00
Indian Messenger, &c. ....		200 00

## GAOL.

Warden .....	1,220 00
Two Gaolers, \$700 each .....	1,400 00
Medical Officer .....	500 00

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 5,690 00

 ALLOWANCES.—*Nil.*  
 CONTINGENCIES.—*Nil.*


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## VICTORIA.

## SALARIES.

	Fixed Establishment.
Stipendiary Magistrate, &c. ....	\$2,250 00
Clerk .....	1,000 00
One Sergeant of Police .....	900 00
Three Constables, at \$1.75 each per diem .....	1,916 25

## GAOL.

Gaoler, \$2.50 per diem .....	912 50
Assistant Gaoler, \$2 per diem .....	730 00
Superintendent of Convicts, \$2.50 per diem .....	912 50
Two Convict Guards, \$638.75 each .....	1,277 50
Two Door Guards and one Cook, \$547.50 each .....	1,642 50
Medical Officer .....	600 00

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 12,141 25

 ALLOWANCES.—*Nil.*  
 CONTINGENCIES.—*Nil.*


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 Total Police and Gaols ..... \$17,831 25
 

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## ESTABLISHMENTS DETAILED.

GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY  
MAGISTRATES.

## COLUMBIA AND KOOTENAY DISTRICT.

SALARIES.	Fixed Establishment.
Gold Commissioner .....	\$3,000
Clerk to do. ....	1,700
Constable .....	1,400
Clerk and Constable, Kootenay .....	1,700
Constable, Kootenay .....	1,400
Clerk and Constable, Fort Shepherd .....	1,400
ALLOWANCES.— <i>Nil.</i> CONTINGENCIES.— <i>Nil.</i>	
Total Columbia and Kootenay District .....	\$10,600

## CARIBOO, INCLUDING QUESNEL.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner, &c. ....	\$3,400
Clerk .....	1,940
Chief Constable .....	1,940
Two Constables at \$1,450 each .....	2,900
Five Constables .....	3,500
Constable at Quesnel .....	1,220
ALLOWANCES.— <i>Nil.</i> CONTINGENCIES.— <i>Nil.</i>	
Total Cariboo District .....	\$14,900

## HOPE, YALE, AND LYTTON DISTRICT.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner, &c. ....	\$2,400
Chief Constable, Yale .....	1,100
Constable .....	1,000
Chief Constable, Lytton .....	1,100
Toll Collector, Yale .....	1,100
ALLOWANCES.— <i>Nil.</i> CONTINGENCIES.— <i>Nil.</i>	
Total Hope, Yale and Lytton District .....	\$6,700

## LILLOOET, CLINTON, AND SODA CREEK.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner, &c. ....	\$2,400
Chief Constable .....	1,000
Constable, Postmaster, and Toll Collector, Clinton .....	1,000
ALLOWANCES.— <i>Nil.</i> CONTINGENCIES.— <i>Nil.</i>	
Total Lillooet, Clinton, and Soda Creek District .....	\$4,400

## NANAIMO.

SALARIES.	Fixed Establishment.
Magistrate and Collector of Revenue .....	\$1,700
Constable .....	730
ALLOWANCES.— <i>Nil.</i> CONTINGENCIES.— <i>Nil.</i>	
Total Nanaimo District .....	\$2,430

## No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries.		Allow- ances.	Office Contin- gencies.	TOTAL.
	Fixed Establish- ment.	Provisional and Temporary.			
CIVIL ESTABLISHMENTS:					
Crown Officers' and other Salaries, as provided by Acts.....	51,167 50				51,167 50
Governor .....	1,950 00			600	2,550 00
Legislative Council .....	800 00			100	900 00
Colonial Secretary.....	8,480 00			200	8,680 00
Treasurer.....	4,800 00				4,800 00
Auditor General.....	5,050 00				5,050 00
Chief Commissioner of Lands & Works, &c .....	4,590 00				4,590 00
Customs .....	12,926 80				12,926 80
Registrar General .....	785 00				785 00
Harbour Master .....	1,800 00				1,800 00
Post Office .....	2,200 00				2,200 00
JUDICIAL ESTABLISHMENTS:—					
Supreme Court .....	3,450 00				3,450 00
Attorney General .....	500 00				500 00
High Sheriff .....			750		750 00
POLICE ESTABLISHMENTS .....	17,831 25				17,831 25
GOLD, AND ASSISTANT GOLD COMMIS- SIONERS, AND STIPENDIARY MAGIS- TRATES:—					
Columbia and Kootenay .....	10,600 00				10,600 00
Cariboo .....	14,900 00				14,900 00
Hope, Yale, and Lytton .....	6,700 00				6,700 00
Lillooet, Clinton, &c, .....	4,400 00				4,400 00
Nanaimo .....	2,430 00				2,430 00
TOTAL ESTABLISHMENTS .....	\$ 155,360 55		750	900	157,010 55

## No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Pension to D. Cameron, Esq., retired Chief Justice, Vancouver Island .....	2,425
Do. Mrs. D. McLean .....	485
Do. Mrs. J. D. B. Ogilvy .....	485
Total Pensions, &c. ....	\$3,395

## No. 3.—REVENUE SERVICES (exclusive of ESTABLISHMENTS.

Travelling Expenses of Officers on duty, Arrest and prosecution of Smugglers, &c. ....	500
Total Revenue Services (exclusive of Establishments) .....	\$500

## No. 4.—ADMINISTRATION OF JUSTICE (exclusive of ESTABLISHMENTS).

Summoning Jurors and Witnesses, and other Contingencies .....	800
Prosecution and Interpreters' Fees, &c. ....	800
Expenses of Judge and Registrar on Circuit .....	3,000
Expenses attending Inquests .....	600
Total Administration of Justice .....	\$5,200

No. 5.—*Nil.*

## No. 6.—CHARITABLE ALLOWANCES.

In aid of Hospitals .....	}	5,000
In aid of the destitute Poor and Sick .....		
Total Charitable Allowances .....		\$5,000

## No. 7.—EDUCATION (exclusive of ESTABLISHMENTS.)

District Schools .....	\$6,000
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No. 8.—*Nil.*

## No. 9.—POLICE AND GAOLS (exclusive of ESTABLISHMENTS.

Keep of Prisoners and other Police expenditure throughout the Colony .....	\$13,000
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## No. 10.—RENT.

Rent, Government House, Victoria .....	50
Do. Lillooet .....	250
Do. Nanaimo .....	100
Do. Quesnel .....	300
Total Rent .....	\$700

## No. 11.—TRANSPORT.

<i>His Excellency the Governor.</i>	
Travelling Expenses on duty .....	2,500
<i>Colonial Secretary.</i>	
Travelling Expenses on duty .....	250
<i>Treasurer.</i>	
Freight upon remittances of Treasure .....	250
<i>Auditor General.</i>	
Travelling expenses Inspecting Accounts \$100, Freight upon Accounts to England \$60 .....	160



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### No. 11.—TRANSPORT.

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<i>Chief Commissioner of Lands and Works.</i>	
Inspection of Steamers .....	750
<i>Gold and Assistant Gold Commissioners.</i>	
Actual travelling expenses of Officers on Duty .....	1,000
Keep of horses throughout the Colony .....	1,000
	<hr/>
Total Transport .....	\$5,910

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### No. 12.—CONVEYANCE OF MAILS.

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To and from San Francisco .....	6,000
To and from Victoria and New Westminster .....	500
To and from Victoria and Esquimalt .....	400
To and from Victoria, Nanaimo, Comox, &c., .....	4,200
To and from Cariboo, Columbia, &c. ....	18,000
To and from Victoria and Saanich .....	300
	<hr/>
Total Conveyance of Mails .....	\$29,400

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### No. 13.—WORKS AND BUILDINGS.

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Repairs to Buildings throughout the Colony .....	5,000
Fog Bell, Race Rocks .....	300
	<hr/>
Total Works and Buildings .....	\$5,300

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### No. 14.—ROADS, STREETS, AND BRIDGES.

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Repairs to Roads throughout the Colony .....	50,000
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### No. 15.—MISCELLANEOUS SERVICES.

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Expenses connected with Indian Tribes .....	500
Taking charge of Government Buildings .....	500
Insurance Government Buildings .....	1,000
Exchange on Drafts for remittance .....	500
Telegrams .....	1,000
Stationery and Fuel for all Departments .....	2,000
Expenses connected with Assays of Minerals, &c. ....	3,500
	<hr/>
Total Miscellaneous Services .....	\$9,000

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### No. 16.—INTEREST.

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Interest on Loan of 1862 .....	14,550
Do. 1863 .....	14,550
Do. 1864 .....	29,100
Interest on Vancouver Island Loan of 1862 .....	11,640
Do. Temporary Loans and Debentures .....	30,000
	<hr/>
Total Interest .....	\$99,840

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No. 17.—DRAWBACKS AND REFUND OF DUTIES, &c.

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Of Customs Duties .....	1,000
Of other Taxes .....	100
Total Drawbacks and Refund of Duties, &c. ....	\$1,100

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No. 18.—*Nil.*


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No. 19.—REDEMPTION OF BONDS.

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Vancouver Island Debentures .....	40,000
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No. 20.—SINKING FUND.

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In Redemption of £50,000 Loan, 1862 .....	21,825 00
Do. Do. 1863 .....	9,700 00
Do. £100,000 Loan, 1864 .....	10,912 50
Vancouver Island Loan of 1862 .....	7,760 00
Total Sinking Fund .....	\$50,197 50

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No. 21.—TEMPORARY LOANS.

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Bank of British Columbia, &c. ....	\$70,000
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No. 22.—GOVERNMENT VESSELS.

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Sir James Douglas—Wages, Stores, Fuel, &c., .....	\$11,000
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No. 23.—LIGHTHOUSES.

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Race Rocks and Fisguard—Salaries, Stores, and general maintenance of Lighthouses....	5,500
Light Ships, mouth of Fraser River .....	4,500
Total Lighthouses .....	\$10,000

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SUMMARY OF THE FOREGOING ESTIMATES, SHOWING THE TOTAL CHARGE FOR EACH DEPARTMENT,  
so far as the same can be apportioned.

	Establishments.	Pensions, Retired Allowances, and Gratuities.	Revenue Services.	Administration of Justice.	Ecclesiastical.	Charitable Allowances.	Education.	Hospitals.	Police and Gaols.	Rent.	Transport.	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Interest.	Drawbacks & Re-fund of Duties, &c.	Immigration.	Redemption of Bonds.	Sinking Fund.	Temporary Loans.	Government Vessels.	Lighthouses.	Total
CIVIL ESTABLISHMENTS.																								
Crown Officers' and other Salaries, as provided by Acts	51167 50																							
Governor	2550									50	2500													
Legislative Council	900																							
Colonial Secretary	8680										250													
Treasurer	4800										250													
Auditor General	5050										160													
Chief Commissioner of Lands and Works	4590										750		5300	50000										
Customs	12926 80		500																					
Registrar General	785																							
Harbour Master	1800																							
Post Office	2200											29400												
Judicial Establishments	4700			4600																				
Police Establishments	17831 25	2425		600					13000															
Gold, Asst. Gold Coms. & Stipry. Magistrate's	39030									650	2000													
Pensions, &c.	970																							
Charitable Allowances				5000																				
Education					6000																			
Hospitals																								
Works and Buildings																								
Roads, Streets, and Bridges																								
Miscellaneous																								
Interest															9000									
Drawbacks and Refund of Duties, &c.																99840	1100							
Immigration																								
Redemption of Bonds																			40000					
Sinking Fund																				50197 50				
Temporary Loans																					70000			
Government Vessels																						11000		
Lighthouses																							10000	
TOTAL	\$ 157010 55	3395	500	5200		5000	6000		13000	700	5910	29400	5300	50000	9000	99840	1100		40000	50197 50	70000	11000	10000	572,553 05

1869  
COLONIAL ESTIMATES,  
BRITISH COLUMBIA.

A. & B.

A.

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the Year 1869, showing also the Revenue received under the similar heads in the Year 1867, being the Year previous to that in which the Estimates are prepared.

	Estimate for 1869.	Revenue of 1867.
Customs .....	\$400,000	\$270,092 02
Port and Harbour Dues .....		
Roads' Tolls .....	65,000	59,522 86
Excise Duties .....	5,000	795 75
Land Sales .....	5,000	3,496 60
Land Revenue .....	5,000	3,665 56
Rents, exclusive of Land .....	2,000	1,954 75
Free Miners' Certificates .....	12,000	13,645 00
Mining Receipts, General .....	18,000	22,208 13
Licences .....	50,000	53,850 27
Postage .....	13,000	12,704 60
Fines, Forfeitures, and Fees of Court .....	5,000	8,441 19
Fees of Office .....	4,000	7,855 63
Sale of Government Property .....	2,000	1,403 44
Reimbursement in aid of Expenses incurred by Government .....	13,000	8,582 90
Miscellaneous Receipts .....	1,000	188 83
Interest .....		2,616 02
Arrears, Vancouver Island .....	2,000	12,171 85
TOTAL .....	602,000	483,105 40



## B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia, for the Year from 1st January to the 31st of December, 1869, showing also the amount actually expended in the Year previous to that in which the Estimates are prepared, viz. 1867.

Item of Estimate.		Salaries		Allowances.	Office Contingencies.	Estimate for the Year 1869.	Expenditure of 1867.
		Fixed Establishment.	Provisional and Temporary.				
1	Establishments.....	\$150,398 00		\$1500 00	\$900 00	152,798 00	147,753 61
2	Pensions, Retired Allowances, and Gratuities.....					3,395 00	8,768 23
3	Revenue Services, exclusive of Establishments.....					1,000 00	1,346 90
4	Administration of Justice, Do. ....					4,400 00	5,299 97
5	Ecclesiastical, Do. ....						
6	Charitable Allowances.....					10,500 00	7,971 63
7	Education, exclusive of Establishments.....					10,000 00	5,064 18
8	Hospitals, Do. ....						
9	Police and Gaols, Do. ....					12,000 00	19,795 31
10	Rent.....					875 00	1,210 70
11	Transport.....					6,660 00	8,126 57
12	Conveyance of Mails.....					29,400 00	36,028 44
13	Works and Buildings.....					12,000 00	7,844 26
14	Roads, Streets, and Bridges.....					62,500 00	26,844 32
15	Miscellaneous Services.....					16,500 00	16,390 22
16	Interest.....					91,840 00	98,914 89
17	Drawbacks and Refund of Duties.....					2,100 00	2,655 87
18	Immigration.....						
19	Redemption of Bonds.....						2,425 00
20	Sinking Fund.....					50,197 50	58,269 77
21	Temporary Loans.....					100,000 00	31,745 48
22	Home Government Account.....						
23	Government Vessels.....					16,800 00	9,037 40
24	Lighthouses.....					10,000 00	9,481 27
25	Deposits.....						894 40
	TOTAL.....				\$	592,965 50	505,868 42

## No. 1.—ESTABLISHMENTS DETAILED.

## CIVIL.

## HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
The Governor (provided for under Crown Officers' Salaries Acts).	
Private Secretary .....	\$1,452
Messenger .....	500
	<u>1,952</u>
CONTINGENCIES.	
Stationery, &c. ....	100
Extra Assistance .....	500
	<u>600</u>
Total His Excellency the Governor.....	\$2,552

## LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk .....	\$600
Messenger .....	200
	<u>800</u>
CONTINGENCIES.	
Fuel, Light, &c. ....	100
	<u>100</u>
Total Legislative Council.....	\$900

## COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary (provided for under Crown Officers' Salaries Act).	
Assistant Colonial Secretary .....	\$1,940
Two Clerks .....	2,904
Messenger .....	500
	<u>\$5,344</u>
CONTINGENCIES.	
Stationery, Fuel, and Light .....	200

## PRINTING BRANCH.

SALARIES.	Fixed Establishment.
Superintendent .....	\$1,320
Two Printers, \$960 each .....	1,920
Assistant Printer and Messenger Legislative Council .....	640
	<u>3,880</u>
Total Colonial Secretary.....	\$9,424

## TREASURER.

SALARIES.	Fixed Establishment.
Chief Clerk .....	\$1,900
Clerk .....	1,452
Clerk .....	1,200
	<u>4,552</u>
Total Treasurer.....	\$4,552

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 ESTABLISHMENTS DETAILED.
 

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## CIVIL.

## AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General .....	\$2,425
Chief Clerk .....	1,452
Clerk .....	1,200
Total Auditor General .....	\$5,077

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## CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner (provided for under Crown Officers' Salaries Act).	
Assistant Surveyor General and Superintendent of Lighthouses .....	\$1,900
Clerk .....	1,224
Draughtsman .....	1,224
Total Chief Commissioner Lands and Works and Surveyor General .....	\$4,348

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## CUSTOMS.

SALARIES.	Fixed Establishment.
Collector of Customs (provided for under Crown Officers' Salaries Act).	
Chief Clerk .....	\$1,940
Clerk .....	1,452
Deputy Collector, Southern Boundary .....	1,704
	5,096
OUT-DOOR DEPARTMENT.	
Revenue Officer .....	1,704
Landing Waiter .....	1,704
Do. Esquimalt .....	900
Two Boatmen and Watchmen, \$696 each .....	1,392
Revenue Officer, Burrard Inlet .....	900
Constable at Osoyoos .....	1,224
	7,824
Total Collector of Customs .....	\$12,920

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## REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General and Postmaster General (provided for under Crown Officers' Salaries Act).	
Registrar General of Titles, Victoria .....	\$485
Assistant in Office .....	250
Total Registrar General .....	\$735

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## HARBOUR MASTER.

SALARIES.	Fixed Establishment.
Harbour Master and Government Pilot .....	\$1,940

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## ESTABLISHMENTS DETAILED.

## CIVIL.

## POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster, Victoria .....	\$2,000
Clerk and Messenger, New Westminster .....	750
Total Post Office .....	\$2,750

## TOTAL OF CIVIL ESTABLISHMENTS REQUIRED UNDER VOTES ..... \$45,198

His Excellency the Governor .....	\$2,552 00
Legislative Council .....	900 00
Colonial Secretary .....	9,424 00
Treasurer .....	4,552 00
Auditor General .....	5,077 00
Chief Commissioner of Lands and Works and Surveyor General .....	4,348 00
Collector of Customs .....	12,920 00
Registrar General .....	735 00
Harbour Master .....	1,940 00
Post Office .....	2,750 00
	<u>\$45,198 00</u>

## JUDICIAL.

## SUPREME COURT.

SALARIES.	Fixed Establishment.
Judge of Supreme Court (provided for under Crown Officers' Salaries Act).	
Do. Do. ....	
Registrar of Court, B.C. ....	\$1,452
Do. Do. V.I. ....	1,500
Messenger, V.I. ....	500
Total Supreme Court	\$3,452

## ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General (provided for under Crown Officers' Salaries Act).	
Clerk .....	\$1,008

## HIGH SHERIFF.

ALLOWANCES.	
In lieu of travelling expenses and allowances .....	\$1,500

## TOTAL JUDICIAL ESTABLISHMENTS ..... \$5,960

Supreme Court .....	\$3,452
Attorney General .....	1,008
High Sheriff .....	1,500
	<u>\$5,960</u>



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ESTABLISHMENTS DETAILED.

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POLICE, INCLUDING PRISONS AND GAOLS.

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## NEW WESTMINSTER.

POLICE.	SALARIES.	Fixed Establishment.
Chief Inspector of Police (provided for under Crown Officers' Salaries Act).		
High Constable	_____	\$972 00
Two Constables, \$1.75 each per diem	_____	1,277 50
Indian Messenger	_____	180 00
GAOL.		
Warden	_____	1,224 00
One Gaoler	_____	708 00
Medical Officer	_____	500 00
		<hr/> 4,861 50

## VICTORIA.

	SALARIES.	Fixed Establishment.
Stipendiary Magistrate	_____	\$2,250 00
Clerk	_____	1,200 00
One Sergeant of Police, \$2.50 per diem	_____	912 50
Three Constables, at \$1.75 each per diem	_____	1,916 25
GAOL.		
Gaoler, \$2.50 per diem	_____	912 50
Assistant Gaoler, \$2 per diem	_____	730 00
Superintendent of Convicts, \$2.50 per diem	_____	912 50
Two Convict Guards, \$638.75 each	_____	1,277 50
Two Door Guards at \$547.50 each, and one Cook \$638.75	_____	1,733.75
Medical Officer	_____	600 00
		<hr/> 12,445 00
Total Police and Gaols		<hr/> \$17,306 50

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GOLD, ASSISTANT GOLD COMMISSIONERS, & STIPENDIARY  
MAGISTRATES.

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## COLUMBIA AND KOOTENAY DISTRICT.

	SALARIES.	Fixed Establishment.
Gold Commissioner	_____	\$3,000
Clerk to do.	_____	1,704
Constable	_____	1,404
Clerk and Constable, Kootenay	_____	1,704
Constable, Kootenay	_____	1,404
Clerk and Constable, Fort Shepherd	_____	500
Total Columbia and Kootenay District		<hr/> \$9,716

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CARIBOO, INCLUDING QUESNEL.

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	SALARIES.	Fixed Establishment.
Assistant Gold Commissioner	_____	\$3,400
Clerk	_____	1,500
Chief Constable	_____	1,500
Two Constables at \$1,224 each	_____	2,448
Two Constables at \$1,008 each	_____	2,016
Constable at Quesnel	_____	1,224
Total Cariboo District		<hr/> \$12,088

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 ESTABLISHMENTS DETAILED.
 

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 GOLD, ASSISTANT GOLD COMMISSIONERS & STIPENDIARY  
MAGISTRATES.

## HOPE, YALE, AND LYTTON DISTRICT.

SALARIES.	Fixed Establishment.
Chief Constable, Yale .....	1,104
Constable .....	1,008
Chief Constable, Lytton .....	1,104
Toll Collector, Yale .....	1,104
Total Hope, Yale, and Lytton District.....	\$4,320

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## LILLOOET, CLINTON, AND SODA CREEK.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner .....	\$2,400
Chief Constable .....	1,104
Constable, Postmaster, and Toll Collector, Clinton .....	1,104
Total Lillooet, Clinton, and Soda Creek.....	\$4,608

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## NANAIMO.

SALARIES.	Fixed Establishment.
Magistrate and Collector of Revenue .....	\$1,704
Constable .....	730
Total Nanaimo District.....	\$2,434

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## No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries.		Allowances.	Office Con- tingencies.	TOTAL.
	Fixed Establishment.	Provisional and Temporary.			
CIVIL ESTABLISHMENTS:					
Governor.....	1,952 00			600	2,552 00
Legislative Council.....	800 00			100	900 00
Colonial Secretary.....	9,224 00			200	9,424 00
Treasurer.....	4,552 00				4,552 00
Auditor General.....	5,077 00				5,077 00
Chief Commissioner of Lands & Works, &c.....	4,348 00				4,348 00
Customs.....	12,920 00				12,920 00
Registrar General.....	735 00				735 00
Harbour Master.....	1,940 00				1,940 00
Post Office.....	2,750 00				2,750 00
JUDICIAL ESTABLISHMENTS:					
Supreme Court.....	3,452 00				3,452 00
Attorney General.....	1,008 00				1,008 00
High Sheriff.....			1500		1,500 00
POLICE ESTABLISHMENTS.....	17,306 50				17,306 50
GOLD, AND ASSISTANT GOLD COMMISSIONERS, AND STIPEN- DIARY MAGISTRATES:—					
Columbia and Kootenay.....	9,716 00				9,716 00
Cariboo.....	12,088 00				12,088 00
Hope, Yale, and Lytton.....	4,320 00				4,320 00
Lillooet, Clinton, &c.,.....	4,608 00				4,608 00
Nanaimo.....	2,434 00				2,434 00
TOTAL ESTABLISHMENTS \$	99,230 50		1500	900	101,630 50

## No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Pension to Mrs. D. McLean .....	\$485
Do. Mrs. J. D. B. Ogilvy .....	485
<b>Total Pensions, &amp;c.....</b>	<b>\$970</b>

## No. 3.—REVENUE SERVICES (exclusive of ESTABLISHMENTS).

Travelling Expenses of Officers on duty, Arrest and prosecution of Smugglers, &c.....	\$1,000
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## No. 4.—ADMINISTRATION OF JUSTICE (exclusive of ESTABLISHMENTS).

Summoning Jurors and Witnesses, and other Contingencies .....	\$800
Prosecution and Interpreters' Fees, &c. ....	800
Expenses of Judge and Registrar on Circuit .....	2,500
Expenses attending Inquests .....	300
<b>Total Administration of Justice.....</b>	<b>\$4,400</b>

No. 5.—*Nil.*

## No. 6.—CHARITABLE ALLOWANCES.

In aid of Hospitals .....	\$10,000
In aid of the destitute Poor and Sick .....	500
Total Charitable Allowances .....	\$10,500

## No. 7.—EDUCATION (exclusive of ESTABLISHMENTS).

District Schools .....	\$10,000
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No. 8.—*Nil.*

## No. 9.—POLICE AND GAOLS (exclusive of ESTABLISHMENTS).

Keep of Prisoners and other Police expenditure throughout the Colony .....	\$12,000
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## No. 10.—RENT.

Rent, Government House, Victoria .....	50
Do. Lillooet .....	240
Do. Nanaimo .....	585
Total Rent .....	\$875

## No. 11.—TRANSPORT.

HIS EXCELLENCY THE GOVERNOR.	
Travelling Expenses on duty .....	2,500
COLONIAL SECRETARY.	
Travelling Expenses on duty .....	500
TREASURER.	
Freight upon remittances of Treasure .....	250
AUDITOR GENERAL.	
Travelling expenses Inspecting Accounts \$100, Freight upon Accounts to England \$60 .....	160
Inspection of Steamers .....	750
Actual Travelling Expenses of Officers on duty .....	1,500
Keep of Horses throughout the Colony .....	1,000
Total Transport .....	\$6,660



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### No. 12.—CONVEYANCE OF MAILS.

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To and from San Francisco .....	6,000
To and from Victoria and New Westminster .....	500
To and from Victoria and Esquimalt .....	400
To and from Victoria, Nanaimo, Comox, &c. ....	4,200
To and from Cariboo, Columbia, &c. ....	18,000
To and from Victoria and Saanich .....	300
Total Conveyance of Mails .....	\$29,400

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### No. 13.—WORKS AND BUILDINGS.

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Repairs to Buildings, &c., throughout the Colony .....	10,000
Surveys, Explorations, &c. ....	2,000
Total Works and Buildings .....	\$12,000

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### No. 14.—ROADS, STREETS, AND BRIDGES.

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Repairs and construction of Roads throughout the Colony .....	\$62,500
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### No. 15.—MISCELLANEOUS SERVICES.

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Expenses connected with Indian Tribes .....	500
Taking charge of Government Buildings .....	1,000
Insurance Government Buildings .....	1,500
Exchange on Drafts for remittance .....	500
Telegrams .....	1,000
Stationery, Fuel, &c., for all Departments .....	4,000
Expenses connected with Assays of Minerals, &c. ....	5,000
For establishing Branch Assay Office at Cariboo .....	3,000
Total Miscellaneous Services .....	\$16,500

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### No. 16.—INTEREST.

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Interest on Temporary Loans and Debentures .....	\$22,000
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### No. 17.—DRAWBACKS AND REFUND OF DUTIES, &c.

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Of Customs Duties .....	2,000
Of other Taxes .....	100
Total Drawbacks and Refund of Duties, &c. ....	\$2,100

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### No. 18.—*Nil.*

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### No. 19.—REDEMPTION OF BONDS.

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 No. 20.—SINKING FUND.
 

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 No. 21.—TEMPORARY LOANS.
 

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Repayment of Loans .....	\$100,000
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 No. 22.—*Nil.*


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 No. 23.—GOVERNMENT VESSELS.
 

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Sir James Douglas—Wages, Stores, Fuel, &c. ....	\$11,000
"      New Boiler .....	5,000
Dredger—Ship-keeper and incidental repairs .....	800
	<hr/>
	\$16,800

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 No. 24.—LIGHTHOUSES.
 

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Race Rocks and Fisgard—Salaries, Stores, and general maintenance of Lighthouses .....	5,500
Light Ship, mouth of Fraser River .....	4,500
	<hr/>
Total Lighthouses.....	\$10,000

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 No. 25.—*Nil.*


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## SUMMARY

## OF THE FOREGOING ESTIMATES.

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Provided by permanent Acts, on account of Salaries .....	\$51,167 50
Do. Do. Do. Pensions .....	2,425 00
Do. Do. Do. Interest on Loans .....	69,840 00
Do. Do. Do. Sinking Fund on Loans .....	50,197 50
	<hr/>
	\$173,630 00
Required to be provided by Vote for contingent service of year 1869:—	
Establishments .....	101,630 50
Services exclusive of Establishments .....	317,705 00
	<hr/>
	419,335 50
	<hr/>
	\$592,965 50
Estimated excess of Revenue over Expenditure .....	9,034 50
	<hr/>
	\$602,000 00

**1870**  
**COLONIAL ESTIMATES,**  
**BRITISH COLUMBIA.**

**A. & B.**

**A.**

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the Year 1870, showing also the Revenue received under the similar heads in the Year 1868, being the Year previous to that in which the Estimates are prepared.

	Estimate for 1870.	Revenue of 1868.	Revenue of 1869. (Approximate.)
Customs .....	\$350,000	\$381,475	\$353,000
Port and Harbour Dues .....			
Roads' Tolls .....	50,000	67,825	46,500
Excise Duties .....	3,500	5,048	3,000
Land Sales .....	6,000	5,564	1,200
Land Revenue .....	4,000	6,156	4,000
Rents, exclusive of Land .....	1,500	2,163	1,500
Free Miners' Certificates .....	11,000	11,535	10,500
Mining Receipts, General .....	12,500	15,756	11,500
Licences .....	40,000	45,589	40,000
Postage .....	13,000	12,789	12,500
Fines, Forfeitures, and Fees of Court .....	5,000	4,732	5,000
Fees of Office .....	6,050	3,179	3,500
Sale of Government Property .....	1,500	2,535	2,300
Reimbursement in aid of Expenses incurred .....	19,200	16,696	13,000
Miscellaneous Receipts .....	500	598	900
Arrears, Real Estate Tax, Vancouver Island .....	8,000	3,970	300
Road Tax .....	6,000	.....	4,800
Total .....	\$ 537,750	585,610	513,500

## REVENUE DETAILED.

	Estimate for 1870.	Revenue of 1868.
<b>CUSTOMS.</b>		
Import Duties _____ \$339,100 00		368,948 00
Fees _____ 300 00		318 00
Fines and Seizures _____ 100 00		181 00
	339,500 00	
<b>PORT AND HARBOUR DUES.</b>		
Harbour Dues _____ 8,000 00		8,427 00
Head Money _____ —		
Tonnage Dues _____ —		
Inland and Coasting Navigation Licences _____ 2,500 00		
	10,500 00	3,601 00
<b>ROADS' TOLLS</b> _____	50,000 00	67,825 00
<b>EXCISE DUTIES</b> _____	3,500 00	5,048 00
<b>LAND SALES</b> _____	6,000 00	5,564 00
<b>LAND REVENUE</b> _____		
Rent of Land _____ 3,900 00		5,614 00
Pre-emption Fees, &c. _____ 100 00	4,000 00	542 00
<b>RENTS (EXCLUSIVE OF LAND).</b>		
Ferry Tolls, &c. _____	1,500 00	2,163 00
<b>FREE MINER'S CERTIFICATES</b> _____	11,000 00	11,535 00
<b>MINING RECEIPTS, GENERAL</b> _____	12,500 00	15,756 00
<b>LICENCES.</b>		
Spirit _____ 25,000 00		29,919 00
Trading _____ 15,000 00		15,670 00
	40,000 00	
<b>POSTAGE.</b>		
Private Letters _____	13,000 00	12,789 00
<b>FINES, FORFEITURES, AND FEES OF COURT.</b>		
Supreme Court _____ 800 00		627 00
Bankruptcy Court _____ 200 00		260 00
Police and County Courts _____ 4,000 00		3,845 00
	5,000 00	
<b>FEES OF OFFICE.</b>		
Land Registry Fees _____ 2,000 00		2,147 00
Assay Fees _____ 4,000 00		1,007 00
Registration of Joint Stock Companies _____ 50 00		25 00
	6,050 00	
<b>SALE OF GOVERNMENT PROPERTY.</b>		
Unserviceable Stores _____	1,500 00	2,535 00
Building Materials _____		
Provisions _____		
<b>REIMBURSEMENTS IN AID OF EXPENSES INCURRED BY GOVERNMENT.</b>		
Steamer Sir James Douglas _____ 13,200 00		
Her Majesty's Government for Mails _____ 6,000 00		
	19,200 00	16,696 00
<b>MISCELLANEOUS RECEIPTS.</b>		
Over-payments, &c., recovered _____	500 00	598 00
<b>ARREARS VANCOUVER ISLAND REAL ESTATE TAX</b> _____	8,000 00	3,970 00
<b>ROAD TAX</b> _____	6,000 00	
<b>Total</b> _____ \$	537,750 00	585,610 00



## B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia, for the Year from 1st January to the 31st of December, 1870, showing also the amount actually expended in the Year previous to that in which the Estimates are prepared, viz. 1868.

Item of Estimate.		Salaries.		Allowances.	Office Contingencies.	Estimate for the Year 1870.	Expenditure of 1868.
		Fixed Establishment.	Provisional and Temporary				
1	Establishments	\$149,217 00	_____	\$1,500 00	\$200 00	150,917 00	185,656 15
2	Pensions, Retired Allowances, and Gratuities	_____	_____	_____	_____	3,031 25	7,002 02
3	Revenue Services, Exclusive of Establishments	_____	_____	_____	_____	1,000 00	2,653 09
4	Administration of Justice Do.	_____	_____	_____	_____	5,000 00	6,924 62
5	Ecclesiastical, Do.	_____	_____	_____	_____	—	—
6	Charitable Allowances	_____	_____	_____	_____	10,500 00	10,850 47
7	Education, Exclusive of Establishments	_____	_____	_____	_____	10,000 00	10,109 51
8	Hospitals, Do.	_____	_____	_____	_____	—	—
9	Police and Gaols, Do.	_____	_____	_____	_____	12,000 00	16,742 99
10	Rent	_____	_____	_____	_____	1,000 00	648 06
11	Transport	_____	_____	_____	_____	4,660 00	14,481 11
12	Conveyance of Mails	_____	_____	_____	_____	35,600 00	51,043 49
13	Works and Buildings	_____	_____	_____	_____	9,000 00	24,595 33
14	Roads, Streets, and Bridges	_____	_____	_____	_____	59,300 00	50,036 49
15	Miscellaneous Services	_____	_____	_____	_____	20,970 00	20,402 51
16	Interest	_____	_____	_____	_____	103,440 00	99,736 07
17	Drawbacks and Refund of Duties, &c.	_____	_____	_____	_____	2,100 00	3,695 61
18	Immigration	_____	_____	_____	_____	5,000	—
19	Redemption of Bonds	_____	_____	_____	_____	—	—
20	Sinking Fund	_____	_____	_____	_____	50,197 50	62,686 25
21	Temporary Loans	_____	_____	_____	_____	—	—
22	Home Government Account	_____	_____	_____	_____	—	—
23	Government Vessels	_____	_____	_____	_____	19,750 00	19,818 73
24	Lighthouses	_____	_____	_____	_____	10,270 00	10,264 23
	Total	_____	_____	_____	\$	513,735 75	597,346 73

## No. 1.—ESTABLISHMENTS DETAILED.

## CIVIL.

## HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
The Governor (provided for under Crown Officers' Salaries Acts).	
Private Secretary .....	\$1,452
Messenger .....	500
	1,952
CONTINGENCIES.	
Stationery, &c. ....	100
Total His Excellency the Governor .....	\$2,052

## LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk .....	600
Messenger .....	200
	800
CONTINGENCIES.	
Fuel, Light, &c. ....	100
Total Legislative Council .....	\$900

## COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary (provided for under Crown Officers' Salaries Act).	
Assistant Colonial Secretary .....	\$1,940
Two Clerks .....	2,904
Messenger .....	500
	5,344

## PRINTING BRANCH.

SALARIES.	Fixed Establishment.
Superintendent .....	\$1,320
Two Printers, at \$960 each .....	1,920
Assistant Printer and Messenger Legislative Council .....	640
	3,880
Total Colonial Secretary .....	\$9,224

## TREASURER.

SALARIES.	Fixed Establishment.
Chief Clerk .....	\$1,900
Clerk .....	1,452
Clerk .....	1,200
Total Treasurer .....	\$4,552

## AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General .....	\$2,425
Chief Clerk .....	1,452
Total Auditor General .....	\$3,877

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 ESTABLISHMENTS DETAILED.
 

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## CIVIL.

## CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner (provided for under Crown Officers' Salaries Act).	
Assistant Surveyor General and Superintendent of Lighthouses .....	\$1,900
Clerk .....	1,224
Draughtsman .....	1,224
Accountant Clerk .....	1,500
Inspector of Steam Boilers, attached to Land and Works Department .....	1,200
Messenger .....	250
Total Chief Commissioner of Lands and Works and Surveyor General .....	\$7,298

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## CUSTOMS.

SALARIES.	Fixed Establishment.
Collector (provided for under Crown Officers' Salaries Act).	
Chief Clerk .....	\$1,940
Clerk .....	1,452
Deputy Collector, Southern Boundary .....	1,704
	5,096
OUT-DOOR DEPARTMENT.	
Revenue Officer .....	1,704
Landing Waiter .....	1,704
Do. Esquimalt .....	900
Two Boatmen and Watchmen, \$696 each .....	1,392
Revenue Officer, Burrard Inlet .....	1,200
Landing Waiter, New Westminster .....	600
Constable, at Osoyoos .....	1,224
	8,724
Total Collector of Customs .....	\$13,820

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## REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General and Postmaster General (provided for under Crown Officers' Salaries Act).	
Registrar General of Titles, Victoria .....	\$ 485
Total Registrar General .....	\$ 485

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## POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster, Victoria .....	\$2,000
Clerk and Messenger, New Westminster .....	1,200
Total Post Office .....	\$3,200

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## ESTABLISHMENTS DETAILED.

## CIVIL.

TOTAL OF CIVIL ESTABLISHMENTS REQUIRED UNDER VOTES .....	\$45,408 00
His Excellency the Governor .....	\$2,052
Legislative Council .....	900
Colonial Secretary .....	9,224
Treasurer .....	4,552
Auditor General .....	3,877
Chief Commissioner of Lands and Works and Surveyor General .....	7,298
Collector of Customs .....	13,820
Registrar General .....	485
Post Office .....	3,200
	<hr/>
	\$45,408

## JUDICIAL.

## SUPREME COURT.

SALARIES.				Fixed Establishment.
Chief Justice of Supreme Court, Mainland (provided for under Crown Officers' Salaries Act).				
Do.	Do.	Vancouver Island	Do.	Do.
Registrar of Court, B.C. ....				\$1,452
Do., V.I. ....				1,500
Messenger, V.I. ....				500
				<hr/>
Total Supreme Court .....				\$3,452

## ATTORNEY GENERAL.

SALARIES.	Fixed Establishment.
Attorney General (provided for under Crown Officers' Salaries Act).	
Clerk .....	\$1,008

## HIGH SHERIFF.

ALLOWANCES.	
In aid of Expenses .....	\$1,500

TOTAL JUDICIAL ESTABLISHMENTS .....	\$5,960
Supreme Court .....	\$3,452
Attorney General .....	1,008
High Sheriff .....	1,500
	<hr/>
	\$5,960

## POLICE, INCLUDING PRISONS AND GAOLS.

## NEW WESTMINSTER.

## POLICE.

SALARIES.	Fixed Establishment.
Chief Inspector of Police (provided for under Crown Officers' Salaries Act).	
Two Constables .....	\$1,277 50
Indian Messenger .....	180 00



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 ESTABLISHMENTS DETAILED.
 

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 POLICE, INCLUDING PRISONS AND GAOLS
 

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GAOL.		
SALARIES.		Fixed Establishment.
Warden	_____	1,224 00
Gaoler	_____	708 00
Medical Officer	_____	500 00
		<u>3,889 50</u>

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 VICTORIA.

POLICE.		
SALARIES.		Fixed Establishment.
Stipendiary Magistrate	_____	\$2,250 00
Clerk	_____	1,200 00
Inspector of Police	_____	1,008 00
Three Constables, at \$1.75 each per diem	_____	1,916 25
GAOL.		
Gaoler	_____	1,008 00
Assistant Gaoler, at \$2.50 per diem	_____	912 50
Superintendent of Convicts	_____	1,008 00
Two Convict Guards, \$638.75 each	_____	1,277 50
Two Door Guards at \$547.50 each, and one Cook \$638.75	_____	1,733 75
Medical Officer	_____	600 00
		<u>12,914 00</u>
Total Police and Gaols		<u>\$16,803 50</u>

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 GOLD, ASSISTANT GOLD COMMISSIONERS, AND STIPENDIARY  
MAGISTRATES.
 

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## COLUMBIA AND KOOTENAY DISTRICT.

SALARIES.		Fixed Establishment.
Gold Commissioner, &c.	_____	\$3,000
Constable	_____	1,404
Clerk and Constable, Kootenay	_____	1,704
Constable, Kootenay	_____	1,404
Total Columbia and Kootenay District		<u>\$7,512</u>

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 CARIBOO, INCLUDING QUESNEL.

SALARIES.		Fixed Establishment.
Assistant Gold Commissioner, &c.	_____	\$3,400
Chief Constable	_____	1,940
Clerk	_____	1,940
Constable	_____	1,450
Two Constables at \$1,008 each	_____	2,016
Constable at Quesnel	_____	1,224
Total Cariboo District		<u>\$11,970</u>

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 ESTABLISHMENTS DETAILED.
 

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 GOLD, ASSISTANT GOLD COMMISSIONERS, AND STIPENDIARY  
MAGISTRATES.

## HOPE, YALE, AND LYTTON DISTRICT.

SALARIES.	Fixed Establishment.
Chief Constable, Yale .....	\$1,104
Constable .....	1,008
Chief Constable, Lytton .....	1,104
Toll Collector, Yale .....	1,104
Total Hope, Yale and Lytton District.....	\$4,320

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## LILLOOET, CLINTON, AND SODA CREEK.

SALARIES.	Fixed Establishment.
Assistant Gold Commissioner, &c. ....	\$2,400
Chief Constable .....	1,104
Constable, Postmaster and Toll Collector, Clinton .....	1,104
Total Lillooet, Clinton and Soda Creek District.....	\$4,608

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## NANAIMO.

SALARIES.	Fixed Establishment.
Magistrate and Collector of Revenue .....	\$1,704
Constable .....	732
Constable at Comox .....	732
Total Nanaimo District.....	\$3,168

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## No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries:		Allowances.	Office Con- tingencies.	TOTAL.
	Fixed Establishment.	Provisional and Temporary.			
<b>CIVIL ESTABLISHMENTS:</b>					
Governor.....	1,952 00	-----	-----	100	2,052 00
Legislative Council.....	800 00	-----	-----	100	900 00
Colonial Secretary.....	9,224 00	-----	-----	-----	9,224 00
Treasurer.....	4,552 00	-----	-----	-----	4,552 00
Auditor General.....	3,877 00	-----	-----	-----	3,877 00
Chief Commissioner of Lands & Works &c.....	7,298 00	-----	-----	-----	7,298 00
Customs.....	13,820 00	-----	-----	-----	13,820 00
Registrar General.....	485 00	-----	-----	-----	485 00
Post Office.....	3,200 00	-----	-----	-----	3,200 00
<b>JUDICIAL ESTABLISHMENTS:</b>					
Supreme Court.....	3,452 00	-----	-----	-----	3,452 00
Attorney General.....	1,008 00	-----	-----	-----	1,008 00
High Sheriff.....	-----	-----	1,500	-----	1,500 00
<b>POLICE AND GAOLS:</b>					
Police Establishments.....	16,803 50	-----	-----	-----	16,803 50
<b>GOLD, AND ASSISTANT GOLD COMMISSIONERS, AND STIPEN- DIARY MAGISTRATES:—</b>					
Columbia and Kootenay.....	7,512 00	-----	-----	-----	7,512 00
Cariboo.....	11,970 00	-----	-----	-----	11,970 00
Hope, Yale and Lytton.....	4,320 00	-----	-----	-----	4,320 00
Lillooet and Clinton.....	4,608 00	-----	-----	-----	4,608 00
Nanaimo.....	3,168 00	-----	-----	-----	3,168 00
Crown Officers and other Sala- ries provided by Acts.....	51,167 50	-----	-----	-----	51,167 50
<b>TOTAL ESTABLISHMENTS...\$</b>	<b>149,217 00</b>	<b>-----</b>	<b>1,500</b>	<b>200</b>	<b>150,917 00</b>

## No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Retired Chief Justice D. Cameron.....	\$2,425 00
Pension to Mrs. J. D. B. Ogilvy, .....	485 00
Do. Mrs. McLean, to 31st March .....	121 25
<b>Total Pensions.....</b>	<b>\$3,031 25</b>

## No. 3.—REVENUE SERVICES (exclusive of ESTABLISHMENTS).

Travelling Expenses of Officers on duty; Arrest and Prosecution of Smugglers .....	\$1,000
<b>Total Revenue Services.....</b>	<b>\$1,000</b>

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No. 4.—ADMINISTRATION OF JUSTICE (exclusive of ESTABLISHMENTS).

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Summoning Jurors and Witnesses, and other Contingencies .....	\$1,200
Prosecution and Interpreters' Fees, &c. ....	1,500
Expenses of Chief Justice and Registrar on Circuit .....	2,000
Expenses attending Inquests .....	300
<b>Total Administration of Justice .....</b>	<b>\$5,000</b>

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No. 5.—*Nil.*

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No. 6.—CHARITABLE ALLOWANCES.

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In aid of Hospitals .....	\$10,000
In aid of destitute Poor and Sick .....	500
<b>Total Charitable Allowances .....</b>	<b>\$10,500</b>

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No. 7.—EDUCATION (exclusive of ESTABLISHMENTS).

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District Schools .....	\$10,000
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No. 8.—*Nil.*

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No. 9.—POLICE AND GAOLS (exclusive of ESTABLISHMENTS).

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Keep of Prisoners, and other Police expenditure throughout the Colony .....	\$12,000
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No. 10.—RENT.

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Rent, Government House, Victoria .....	\$ 50
Do. Lillooet .....	240
Do. Nanaimo .....	350
Do. Perry Creek .....	360
<b>Total Rent .....</b>	<b>\$1,000</b>

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No. 11.—TRANSPORT.

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HIS EXCELLENCY THE GOVERNOR—Travelling Expenses on duty .....	\$2,500
TREASURER—Freight upon remittances of Treasure .....	250
AUDITOR GENERAL—Travelling Expenses inspecting Accounts .....	100
Freight upon Accounts to England .....	60
Actual Travelling Expenses of Officers on duty .....	1,500
Keep of Horses throughout the Colony .....	250
<b>Total Transport .....</b>	<b>\$4,660</b>

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### No. 12.—CONVEYANCE OF MAILS.

To and from San Francisco .....	\$12,000
Do. Victoria and New Westminster .....	500
Do. Victoria and Esquimalt .....	600
Do. Victoria, Nanaimo, and Comox, &c. ....	4,200
Mail Contract, Mr. Barnard .....	16,000
To and from Columbia and Kootenay, &c. ....	2,000
Do. Victoria and Saanich .....	300
Total Conveyance of Mails .....	\$35,600

### No. 13.—WORKS AND BUILDINGS.

Repairs to Buildings throughout the Colony:—	
Government Buildings, Victoria .....	\$2,500
Government House, Victoria .....	500
Government House, New Westminster .....	1,250
Government Buildings, New Westminster .....	500
Government Buildings, Yale .....	200
Government Buildings, Clinton .....	100
Government Buildings, Cariboo .....	350
	5,400
Repairs to Buoys, Fraser River .....	400
Do., Victoria and Nanaimo .....	200
Miscellaneous Surveys throughout the Colony .....	3,000
Total Works and Buildings .....	\$9,000

### No. 14.—ROADS, STREETS, AND BRIDGES.

Repairs to Roads and Trails throughout the Colony:—	
Yale and Clinton Road .....	\$18,000
Clinton and Camerontown Road .....	15,000
Douglas and Clinton Road .....	1,000
Hope-Kootenay Trail .....	2,500
Burrard Inlet Road .....	3,000
New Westminster-Yale Sleigh Road .....	1,650
New Westminster Roads .....	300
Lillooet-Lytton Trail .....	1,500
Cariboo District Trails .....	2,000
Esquimalt Road .....	350
Roads, Victoria District .....	1,500
Victoria and Metchosin Road .....	1,000
Saanich District Roads .....	1,500
Cowichan Do. ....	1,300
Nanaimo Do. ....	600
Sooke Do. ....	300
Comox Do. ....	300
Other Road Repairs not detailed .....	2,000
	53,800
Road Tax collected in Vancouver Island, to be spent in the various Districts } in which the same is collected .....	5,500
Total Roads, Streets, and Bridges .....	\$59,300

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### No. 15.—MISCELLANEOUS SERVICES.

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Expenses connected with Indian Tribes .....	\$500 00
Maintenance Government House and Grounds at Victoria and New Westminster.....	960 00
Insurance Government Buildings .....	1,000 00
Exchange on Drafts for remittance .....	1,500 00
Telegrams, Cable Messages .....	500 00
Stationery, Fuel, &c., for all Departments .....	4,000 00
Expenses connected with Assays of Minerals, &c. ....	5,000 00
Taking charge of Government Buildings, Douglas .....	60 00
Subsidy to Western Union Telegraph Co., between Victoria and Portland .....	4,500 00
Purchase of Foreign Postage Stamps .....	250 00
Miscellaneous Services not detailed .....	1,000 00
Crown Agents' Commission .....	500 00
Aid to Pioneer Quartz Mining Co. ....	500 00
Road Tax—Commission and Travelling Expenses .....	700 00
Total Miscellaneous Services.....	\$20,970 00

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### No. 16.—INTEREST.

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Interest on Loan of 1862 .....	\$14,550
Do. 1863 .....	14,550
Do. 1864 .....	29,100
Do. 1862, V.I. ....	11,640
Do. Temporary Loans and Debentures .....	33,600
Total Interest.....	\$103,440

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### No. 17.—DRAWBACKS AND REFUND OF DUTIES, &c.

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Of Customs Duties .....	\$2,000
Of other Taxes .....	100
Total Drawbacks, &c.....	\$2,100

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### No. 18.—IMMIGRATION.

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For the purpose of .....	\$5,000
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### No. 19.—REDEMPTION OF BOND.—*Nil.*

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### No. 20.—SINKING FUND.

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On £50,000 Loan of 1862 .....	\$21,825 00
„ £50,000 „ 1863 .....	9,700 00
„ £100,000 „ 1864 .....	10,912 50
„ £40,000 „ 1862 V.I. ....	7,760 00
Total Sinking Fund.....	\$50,197 50

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 No. 21.—TEMPORARY LOANS.—*Nil.*


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 No. 22.—*Nil.*


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 No. 23.—GOVERNMENT VESSELS.
 

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Sir James Douglas,—Wages, Stores, Fuel, &c. _____	\$12,350
Do. New Boiler _____	6,500
Do. New Propellor _____	500
Dredger,—Keeper and incidental Expenses _____	400
Total Government Vessels _____	\$19,750

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 No. 24.—LIGHTHOUSES.
 

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FRASER RIVER LIGHT-SHIP:—	
Salaries _____	\$2,160 00
Provisioning Crew _____	750 00
Stores and maintenance _____	700 00
	3,610 00
RACE ROCKS LIGHT-HOUSE:—	
Salaries _____	1,800 00
Provisioning Light-Keepers _____	1,550 00
Stores and maintenance _____	550 00
Fog Bell _____	900 00
	4,800 00
FISGARD LIGHT-HOUSE:—	
Salaries _____	760 00
Stores and maintenance _____	500 00
Repairs _____	600 00
	1,860 00
Total Lighthouses _____	\$10,270 00

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 RECAPITULATION.
 

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Provided by permanent Acts, on account of Salaries _____	\$ 51,167 50
Do. Do. Do. Pensions _____	2,425 00
Do. Do. Do. Interest on Loans _____	69,840 00
Do. Do. Do. Sinking Fund _____	50,197 50
	\$173,630 00
Required to be provided by Vote for contingent service of year 1870:—	
Establishments _____	\$ 99,749 50
Services exclusive of Establishments _____	240,356 25
	340,105 75
	\$513,735 75
Estimated excess of Revenue over Expenditure _____	24,014 25
	\$537,750 00

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SUMMARY OF THE FOREGOING ESTIMATES, SHOWING THE TOTAL CHARGE FOR  
EACH DEPARTMENT, so far as the same can be apportioned.

	Establishments.	Pensions, Retired Allowances, and Gratuities.	Revenue Services.	Administration of Justice.	Ecclesiastical.	Charitable Allowances.	Education.	Hospitals.	Police and Gaols.	Rent.	Transport	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Interest.	Drawbacks & Re-fund of Duties, &c.	Immigration.	Redemption of Bonds.	Sinking Fund.	Temporary Loans.	Government Vessels.	Lighthouses.	TOTAL.
CIVIL ESTABLISHMENTS.																								
Governor	21452 00									50 2500														\$ 24,002 00
Legislative Council	900 00														4500 00									900 00
Colonial Secretary	13104 00														2000 00									17,604 00
Treasurer	4552 00									250														6,802 00
Auditor General	3877 00									160														4,037 00
Chief Commissioner of Lands and Works	11178 00												9000 59300		2720 00		2000					19750	10270	112,218 00
Customs	16972 50		750																					19,722 50
Registrars General	4850 00																							4,850 00
Post Office	3200 00											35600			250 00									39,050 00
Judicial Establishments	20025 00	2425 00	4700																					27,150 00
Education Establishments																								
Police Establishments	19228 50			300					12000															31,528 50
Gold, Asst. Gold Coms. & Spdrry. Magistrates.																	100							34,628 00
Pensions	31578 00	606 25	250							950 1750														606 25
Charitable Allowances						10500																		10,500 00
Education							10000																	10,000 00
Hospitals																								
Works and Buildings																								
Roads, Streets, and Bridges																								
Miscellaneous																								
Interest																								
Drawbacks and Refund of Duties, &c.																								
Immigration																								
Redemption of Bonds																								
Sinking Fund																								
Temporary Loans																								
Home Government Account																								
TOTAL	150917 00	3031 25	1000 5000		10500 10000			12000	1000 4660 35600 9000 59300	20970 00	103440	2100 5000	50197 50	19750 10270	513,735 75									

ROBERT KER,  
Auditor General.



**1871**  
**COLONIAL ESTIMATES,**  
**BRITISH COLUMBIA.**

**A. & B.**

**A.**

ABSTRACT of the probable REVENUE of the Colonial Government of British Columbia, for the Year 1871, showing also the Revenue received under the similar heads in the Year 1869, being the Year previous to that in which the Estimates are prepared.

	Estimate for 1871.	Revenue of 1869.	Revenue of 1870. (Approximate.)
Customs .....	320,000	356,678 32	325,000
Port and Harbour Dues .....			
Roads' Tolls .....	42,000	57,512 14	42,000
Excise Duties .....	3,500	4,215 76	3,000
Land Sales .....	20,000	1,354 50	7,000
Land Revenue .....	5,000	4,662 70	5,000
Rents, exclusive of Land .....	1,500	1,640 25	1,700
Free Miners' Certificates .....	11,000	9,940 00	10,000
Mining Receipts General .....	15,000	12,740 12	14,600
Licences .....	42,000	40,358 93	41,500
Postage .....	14,000	12,569 61	14,000
Fines, Forfeitures, and Fees of Court .....	6,500	5,824 56	6,500
Fees of Office .....	3,950	4,534 40	5,000
Sale of Government Property .....		2,545 28	1,500
Reimbursements in aid of Expenses incurred .....	26,000	17,822 83	17,000
Miscellaneous Receipts .....	500	981 26	500
Arrears, Real Estate Tax, Vancouver Island .....	16,000	241 82	1,000
Road Tax .....	7,000	4,871 45	7,000
TOTAL .....	\$ 533,950	528,494 23	502,300

## REVENUE DETAILED.

	Estimates for 1871.	Revenue of 1869.
<b>CUSTOMS.</b>		
Import Duties .....	\$310,300 00	344,250 35
Fees .....	275 00	302 00
Fines and Seizures .....	50 00	24 99
	310,625 00	
<b>PORT AND HARBOUR DUES.</b>		
Entrance and Clearance Fees .....		
Coasting, River, & Inland Navigation Licences .....	9,375 00	12,100 98
<b>ROADS' TOLLS</b> .....	42,000 00	47,512 14
<b>EXCISE DUTIES</b> .....	3,500 00	4,215 76
<b>LAND SALES</b> .....	20,000 00	1,354 50
<b>LAND REVENUE.</b>		
Rent of Land .....		
Pre-emption Fees, &c. ....	5,000 00	
	5,000 00	4,662 70
<b>RENTS (EXCLUSIVE OF LAND).</b>		
Ferry Rents, &c. ....	1,500 00	1,640 25
<b>FREE MINERS' CERTIFICATES</b> .....	11,000 00	9,940 00
<b>MINING RECEIPTS, GENERAL</b> .....	15,000 00	12,740 12
<b>LICENCES.</b>		
Spirit .....	27,000 00	27,182 50
Trading .....	15,000 00	13,176 43
	42,000 00	
<b>POSTAGE.</b>		
Private Letters and Box Rents .....	14,000 00	12,569 91
<b>FINES, FORFEITURES, AND FEES OF COURT.</b>		
Supreme Court .....	800 00	577 23
Bankruptcy Court .....	200 00	296 23
Police, Mining, and County Courts .....	5,500 00	4,951 10
	6,500 00	
<b>FEES OF OFFICE.</b>		
Land Registry Fees .....	2,500 00	2,673 92
Assay Fees .....	1,000 00	1,794 78
Registration of Joint Stock Companies .....	200 00	65 70
Inspecting Steamers .....	250 00	
	3,950 00	
<b>SALE OF GOVERNMENT PROPERTY.</b>		
Unserviceable Stores .....		
Building Materials .....		
Provisions .....	—	2,545 28
<b>REIMBURSEMENTS IN AID OF EXPENSES INCURRED BY GOVERNMENT.</b>		
Steamer "Sir James Douglas" .....	14,000 00	
Her Majesty's Government for Mails .....	6,000 00	
Keep of Naval Prisoners, &c. ....	1,000 00	
Telegraphic Receipts .....	5,000 00	
	26,000 00	17,822 83
<b>MISCELLANEOUS RECEIPTS.</b>		
Over-payments, &c., recovered .....	500 00	981 26
<b>ARREARS VANCOUVER ISLAND REAL ESTATE TAX</b> .....	16,000 00	241 82
<b>ROAD TAX</b> .....	7,000 00	4,871 45
<b>Total</b> .....	\$ 533,950 00	528,494 23

## B.

ABSTRACT of the SUMS REQUIRED to defray the Expenses of the Colonial Government of British Columbia, for the Year from 1st January to the 31st of December, 1871, showing also the amount actually expended in the Year previous to that in which the Estimates are prepared, viz.: 1869.

Item of Estimate.		Salaries.		Allowances.	Office Contingencies.	Estimate for the Year 1871.	Expenditure of 1869.
		Fixed Establishment.	Provisional and Temporary				
1	Establishments	\$149,001 25	—	4,417 50	700 00	154,118 75	155,051 94
2	Pensions, Retired Allowances, and Gratuities					2,910 00	9,020 93
3	Revenue Services, Exclusive of Establishments					1,000 00	2,748 17
4	Administration of Justice Do.					3,900 00	8,233 99
5	Ecclesiastical, Do.					—	—
6	Charitable Allowances					10,500 00	11,326 25
7	Education, Exclusive of Establishments					15,000 00	5,577 69
8	Hospitals Do.					—	—
9	Police and Gaols, Do.					12,000 00	16,715 44
10	Rent					264 50	868 46
11	Transport					3,250 00	10,926 22
12	Conveyance of Mails					36,549 96	33,239 88
13	Works and Buildings					23,650 00	12,385 71
14	Roads, Streets, and Bridges					54,550 00	49,601 35
15	Miscellaneous Services					23,260 00	33,946 94
16	Interest					103,440 00	102,082 41
17	Drawbacks and Refund of Duties, &c.					2,100 00	1,962 18
18	Immigration					—	—
19	Redemption of Bonds					—	—
20	Sinking Fund					50,197 50	29,948 75
21	Temporary Loans					—	5,308 05
22	Home Government Account					3,274 30	—
23	Government Vessels					12,800 00	16,388 50
24	Lighthouses					9,370 00	10,206 76
						522,135 01	515,539 62

## No. 1.—ESTABLISHMENTS DETAILED.

## CIVIL.

## HIS EXCELLENCY THE GOVERNOR.

SALARIES.	Fixed Establishment.
The Governor (provided for under Crown Officers' Salaries Acts).	
Private Secretary .....	\$1,452
Messenger .....	500
	1,952
CONTINGENCIES.	
Stationery, &c. ....	100
Total His Excellency the Governor .....	\$2,052

## LEGISLATIVE COUNCIL.

SALARIES.	Fixed Establishment.
Clerk .....	\$600
Messenger .....	200
	800
CONTINGENCIES.	
Fuel, Light, &c. ....	100
Total Legislative Council .....	\$900

## COLONIAL SECRETARY.

SALARIES.	Fixed Establishment.
Colonial Secretary (provided for under Crown Officers' Salaries Act).	
Assistant Colonial Secretary .....	\$1,940
Two Clerks .....	2,904
Messenger .....	500
	5,344

## PRINTING BRANCH

SALARIES.	Fixed Establishment.
Superintendent .....	1,320
Two Printers .....	1,920
Assistant Printer .....	640
	3,880
Total Colonial Secretary .....	\$9,224

## TREASURY.

SALARIES.	Fixed Establishment.
Chief Clerk in Charge .....	\$1,900
Clerk .....	1,452
Clerk .....	1,200
	4,552
ALLOWANCES.	
To Officer in Charge .....	250
Total Treasury .....	\$4,802



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 ESTABLISHMENTS DETAILED.
 

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## CIVIL.

## AUDITOR GENERAL.

SALARIES.	Fixed Establishment.
Auditor General .....	\$2,425
Chief Clerk .....	1,452
	<hr/> 3,877
CONTINGENCIES.	
Extra Assistance in Audit Office .....	500
	<hr/>
Total Auditor General .....	\$4,377

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## CHIEF COMMISSIONER OF LANDS AND WORKS AND SURVEYOR GENERAL.

SALARIES.	Fixed Establishment.
Chief Commissioner (provided for under Crown Officers' Salaries Act).	
Assistant Surveyor General .....	\$1,900
Clerk .....	1,224
Draughtsman .....	1,224
Accountant Clerk .....	1,200
Inspector of Steam Boilers .....	1,200
Messenger .....	250
	<hr/>
Total Chief Commissioner of Lands and Works and Surveyor General .....	\$6,998

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## CUSTOMS.

SALARIES.	Fixed Establishment.
Collector (provided for under Crown Officers' Salaries Act).	
Chief Clerk .....	\$1,940
Clerk .....	1,452
Deputy Collector, Southern Boundary .....	1,704
	<hr/> 5,096
OUT-DOOR DEPARTMENT.	
Revenue Officer .....	1,704
Landing Waiter (Victoria) .....	1,704
Do. (Esquimalt) .....	900
Two Boatmen and Watchmen, at \$696 each .....	1,392
Revenue Officer (Burrard Inlet) .....	1,200
Landing Waiter (New Westminster) .....	600
Constable (Osoyoos) .....	1,224
	<hr/> 8,724
Total Collector of Customs .....	\$13,820

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## REGISTRAR GENERAL.

SALARIES.	Fixed Establishment.
Registrar General (provided for under "Land Registry Ordinance, 1870.")	

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## POST OFFICE.

SALARIES.	Fixed Establishment.
Postmaster (Victoria) .....	\$2,000
Clerk (New Westminster) .....	1,200
	<hr/>
Total Post Office .....	\$3,200

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## ESTABLISHMENTS DETAILED.

## CIVIL.

TOTAL OF CIVIL ESTABLISHMENTS REQUIRED UNDER VOTES .....	\$45,373 00
Department of His Excellency the Governor .....	\$2,052
Department of Legislative Council .....	900
Department of Colonial Secretary .....	9,224
Department of Treasury .....	4,802
Department of Auditor General .....	4,377
Department of Chief Commissioner of Lands and Works .....	6,998
Department of Collector of Customs .....	13,820
Department of Post Office .....	3,200
	<u>\$45,373</u>

## JUDICIAL.

## SUPREME COURT.

SALARIES.				Fixed Establishment.
Chief Justice (provided for under "Supreme Court Ordinance, 1869.")				
Puisne Do.	Do.,	Do.,	Do.	
Registrar	Do.,	Do.,	1870.	
Deputy Registrar	Do.,	Do.,	Do.	
Messenger .....				\$500

## ATTORNEY GENERAL.

SALARIES.		Fixed Establishment.
Attorney General (provided for under Crown Officers' Salaries Act).		
Clerk .....		\$1,008
ALLOWANCES.		
Allowance to Attorney General in lieu of Prosecution Fees .....	1,455	
Total Attorney General .....		\$2,463

## HIGH SHERIFF.

ALLOWANCES.		
In aid of Expenses .....		\$1,500
TOTAL JUDICIAL ESTABLISHMENTS .....		\$4,463
Supreme Court .....	\$ 500	
Attorney General .....	2,463	
High Sheriff .....	1,500	
	<u>\$4,463</u>	

## POLICE, INCLUDING PRISONS AND GAOLS.

## VICTORIA.

SALARIES.		Fixed Establishment.
POLICE.		
Stipendiary Magistrate .....	\$2,250 00	
Clerk .....	1,200 00	
Inspector .....	1,008 00	
Sergeant .....	800 00	
Two Constables, at \$1.75 each per diem .....	1,277 50	

## POLICE, INCLUDING PRISONS &amp; GAOLS.

## VICTORIA.

GAOL.	
Gaoler .....	\$1,008 00
Assistant Gaoler .....	912 50
Superintendent of Convicts .....	1,008 00
Two Convict Guards, \$638.75 each .....	1,277 50
Two Door Guards, \$547.50 each .....	1,095 00
Cook .....	638 75
Medical Officer .....	600 00
	<u>13,075 25</u>

## NEW WESTMINSTER.

## SALARIES.

## Fixed Establishment.

## POLICE.

Stipendiary Magistrate (provided for under Crown Officers' Salaries Act, 1863 as Registrar General).

Two Constables at \$638.75 each ..... \$1,277 50

## GAOL.

Gaoler .....	1,008 00
Turnkey .....	708 00
Medical Officer .....	500 00
	<u>3,493 50</u>

Total Police and Gaols ..... \$16,568 75

## GOLD, ASSISTANT GOLD COMMISSIONERS, &amp; STIPENDIARY MAGISTRATES.

## COLUMBIA AND KOOTENAY DISTRICT.

## SALARIES.

## Fixed Establishment.

Clerk and Constable .....	\$1,704
Constable .....	1,404
Constable (French Creek) .....	1,704
	<u>4,812 00</u>

## ALLOWANCES.

Allowance to Acting Magistrate ..... 1,212 50

Total Columbia and Kootenay District ..... \$6,024 50

## CARIBOO, INCLUDING QUESNEL, SODA CREEK AND OMINECA.

## SALARIES.

## Fixed Establishment.

Stipendiary Magistrate and Gold Commissioner .....	\$3,400
Clerk .....	1,940
Chief Constable .....	1,940
Constable .....	1,450
Two Constables at \$1,008 each .....	2,016
Constable at Quesnel .....	1,224
Officer at Omineca .....	1,940

Total ..... \$13,910

## ESTABLISHMENTS DETAILED.

GOLD, ASSISTANT GOLD COMMISSIONERS, & STIPENDIARY  
MAGISTRATES.

## YALE, INCLUDING HOPE AND LYTTON.

SALARIES.	Fixed Establishment.
Gold Commissioner and Stipendiary Magistrate .....	\$3,000
Chief Constable (Yale) .....	1,104
Constable Do. ....	1,008
Chief Constable (Lytton) .....	1,104
Toll Collector (Yale) .....	1,104
Total .....	\$7,320

## LILLOOET AND CLINTON.

SALARIES.	Fixed Establishment.
Stipendiary Magistrate and Assistant Gold Commissioner .....	\$2,400
Chief Constable .....	1,104
Constable, Postmaster, and Toll Collector at Clinton .....	1,104
Total .....	\$4,608

## NANAIMO AND COMOX.

SALARIES.	Fixed Establishment.
Stipendiary Magistrate .....	\$2,250
Constable (Nanaimo) .....	732
Constable (Comox) .....	732
Total .....	\$3,714



## No. 1.—RECAPITULATION OF THE FOREGOING ESTABLISHMENTS.

	Salaries.		Allowances.	Office Con- tingencies.	TOTAL.
	Fixed Establishment	Provisional and Temporary.			
<b>CIVIL ESTABLISHMENTS:</b>					
Crown Officers and other Sal- aries provided for by Acts	52,137 50	_____	_____	_____	52,137 50
Governor	1,952 00	_____	_____	100 00	2,052 00
Legislative Council	800 00	_____	_____	100 00	900 00
Colonial Secretary	9,224 00	_____	_____	_____	9,224 00
Treasurer	4,552 00	_____	250 00	_____	4,802 00
Auditor General	3,877 00	_____	_____	500 00	4,377 00
Chief Commissioner of Lands & Works &c.	6,998 00	_____	_____	_____	6,988 00
Customs	13,820 00	_____	_____	_____	13,820 00
Registrar General	_____	_____	_____	_____	_____
Post Office	3,200 00	_____	_____	_____	3,200 00
<b>JUDICIAL ESTABLISHMENTS:</b>					
Supreme Court	500 00	_____	_____	_____	500 00
Attorney General	1,008 00	_____	1,455 00	_____	2,463 00
High Sheriff	_____	_____	1,500 00	_____	1,500 00
<b>POLICE AND GAOLS:</b>					
Police Establishments	16,568 75	_____	_____	_____	16,568 75
<b>GOLD, AND ASSISTANT GOLD COMMISSIONERS, AND STI- PENDIARY MAGISTRATES:</b>					
Columbia and Kootenay	4,812 00	_____	1,212 50	_____	6,024 50
Cariboo	13,910 00	_____	_____	_____	13,910 00
Hope, Yale, and Lytton	7,320 00	_____	_____	_____	7,320 00
Clinton and Lillooet	4,608 00	_____	_____	_____	4,608 00
Nanaimo	3,714 00	_____	_____	_____	3,714 03
TOTAL ESTABLISHMENTS ---\$	149,001 25	_____	4,417 50	700 00	154,118 75

## No. 2.—PENSIONS, RETIRED ALLOWANCES, AND GRATUITIES.

Pension to retired Chief Justice D. Cameron, Esq., under Act No. 3 of V. I., 1864.

Pension to Mrs. J. D. B. Ogilvy \$ 485

## No. 3.—REVENUE SERVICES (exclusive of Establishments).

Travelling Expenses of Officers on duty; Arrest and Prosecution of Smugglers \$1,000

## No. 4.—ADMINISTRATION OF JUSTICE (exclusive of Establishments).

Summoning Jurors and Witnesses, and other Contingencies \$1,200

Prosecution and Interpreters' Fees, &amp;c. 400

Expenses of Judges and Registrar on Circuit 2,000

Expenses attending Inquests 300

Total Administration of Justice \$3,900

No. 5.—*Nil.*

## No. 6.—CHARITABLE ALLOWANCES.

In aid of Hospitals .....	\$10,000
In aid of destitute Poor and Sick .....	500
Total Charitable Allowances .....	\$10,500

## No. 7.—EDUCATION (exclusive of Establishments).

In aid of District Schools .....	\$15,000
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No. 8.—*Nil.*

## No. 9.—POLICE AND GAOLS (exclusive of Establishments).

Keep of Prisoners, and other Police expenditure throughout the Colony .....	\$12,000
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## No. 10.—RENT.

Rent, Government House, Victoria .....	\$ 48 50
Do. Do. Lillooet .....	120 00
Do. Boat House, Nanaimo .....	36 00
Do. Gaol at Comox .....	60 00
Total Rent .....	\$264 50

## No. 11.—TRANSPORT.

HIS EXCELLENCY THE GOVERNOR—Travelling Expenses on duty .....	\$1,000
TREASURY—Freight on remittance of Treasure .....	250
Actual Travelling Expenses of Officers on duty .....	1,500
Keep of Government Horses throughout the Colony .....	500
Total Transport .....	\$3,250

## No. 12.—CONVEYANCE OF MAILS.

To and from San Francisco .....	\$12,000 00
Do. Victoria and New Westminster .....	500 00
Do. Victoria and Esquimalt .....	600 00
Do. Victoria, Nanaimo, and Comox .....	4,200 00
Mail Contract, Cariboo, Mr. Barnard, 2 months, 1st Jan. to 28th Feb., at \$1,333 33 a month .....	2,666 66
Do. Do. Messrs. Gerow & Johnston, 10 months, at \$13,000 per annum .....	10,833 30
To and from Columbia River .....	600 00
Do. Kootenay .....	1,200 00
Do. New Westminster and Burrard Inlet .....	100 00
Do. Victoria and Saanich .....	300 00
Do. Victoria and Metchosin .....	300 00

### No. 12.—CONVEYANCE OF MAILS.

Casual Conveyance of Mails and Mail Bags to and from Steamers .....	250 00
Conveyance of Mails, homewards and outwards, between England and the United States .....	3,000 00
Total Conveyance of Mails .....	\$36,549 96

### No. 13.—WORKS AND BUILDINGS.

Construction of a new Gaol at Nanaimo .....	\$ 750
Repairs to Buildings throughout the Colony:—	
Government Buildings, Victoria .....	1,250
Government House, Victoria .....	600
Government House, New Westminster .....	250
Government Buildings, New Westminster .....	500
Government Buildings, Yale .....	300
Government Buildings, Lillooet and Clinton .....	250
Government Buildings, Cariboo .....	400
Government Buildings, Kootenay .....	300
Repairs to Buoys, Fraser River .....	300
Repairs to Buoys, Victoria .....	200
Repairs to Buoys, Nanaimo .....	300
SURVEYS:—	
Miscellaneous Surveys throughout the Colony .....	6,000
TELEGRAPH:—	
New Line from Quesnelmouth to Barkerville .....	3,000
Maintenance, and operating Line from Victoria to Barkerville .....	9,250
Total Works and Buildings .....	\$23,650

### No. 14.—ROADS, STREETS, AND BRIDGES.

Repairs to Roads and Trails throughout the Colony:—	
Yale-Clinton Road .....	\$16,000
Clinton and Camerontown Road .....	12,000
Douglas and Clinton Road .....	1,000
Hope-Kootenay Trail .....	1,500
Burrard Inlet Road .....	1,500
New Westminster-Yale Sleigh Road .....	2,000
New Westminster District Roads .....	300
Sumass and Chilliwack District Roads .....	750
Trails, Cariboo District .....	2,000
	37,050
Esquimalt Road .....	2,000
Victoria District Roads .....	2,450
Esquimalt District Roads .....	350
Victoria-Metchosin Road .....	1,600
Metchosin District Roads .....	350
Saanich District Roads .....	2,750
Cowichan District Roads, including Kokesailah and Chemainus Bridges ..	2,800
Nanaimo District Roads .....	2,700
Sooke District Roads .....	500
Comox District Roads .....	1,250
Salt Spring Island Roads .....	250
Other Road repairs, not detailed .....	500
	17,500
Total Roads, Streets, and Bridges .....	\$54,550

## No. 15.—MISCELLANEOUS SERVICES.

Expenses connected with Indian Tribes .....	\$ 500
Government House Grounds, Victoria and New Westminster .....	960
Insurance on Government Buildings .....	1,000
Exchange on Drafts for remittances .....	1,500
Subsidy to Western Union Telegraph to Portland, per annum .....	4,500
Telegrams, Cable Messages, &c. ....	500
Stationery and Fuel for all Departments .....	4,000
Expenses connected with the Assay of Minerals .....	5,000
Taking charge of Government Buildings, Douglas and Langley .....	100
Crown Agents' Commission .....	500
Volunteer Expenses under Act .....	500
Victoria Volunteers' Debt .....	500
Aid to Deluge Fire Company, for purchase of Engine .....	750
Road Tax Collections (Commission, &c.) .....	700
Printing General Map of Colony, in London .....	600
Repairing Surveying Instruments .....	250
Miscellaneous Services not detailed .....	1,000
Purchase of Foreign Postage Stamps .....	400
Total Miscellaneous Services .....	\$23,260

## No. 16.—INTEREST.

Interest on Loan under Act of 1862, B.C. ....	\$14,550
Do. Do. 1863, „ .....	14,550
Do. Do. 1864, „ .....	29,100
Do. Do. 1862, V. I. ....	11,640
Do. Temporary Loans and Debentures .....	33,600
Total Interest .....	\$103,440

## No. 17.—DRAWBACKS AND REFUND OF DUTIES, &amp;c.

Of Customs Duties .....	\$2,000
Of other Taxes .....	100
Total Drawbacks, &c. ....	\$2,100

No. 18.—IMMIGRATION.—*Nil.*No. 19.—REDEMPTION OF BONDS.—*Nil.*

## No. 20.—SINKING FUND.

(Provided for by Acts of 1862, 1863, and 1864.)

On £50,000 Loan of B.C., 1862 .....	\$21,825 00
Do. Do. 1863 .....	9,700 00
On £100,000 Do. 1864 .....	10,912 50
On £40,000 Do. V. I. 1862 .....	7,760 00
Total Sinking Fund .....	\$50,197 50



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 No. 21.—TEMPORARY LOANS.—*Nil.*


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 No. 22.—HOME GOVERNMENT ACCOUNT.
 

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 Repayment of Stores supplied by War Department ..... \$3,274 30
 

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 No. 23.—GOVERNMENT VESSELS.
 

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"Sir James Douglas"—Wages, Stores and Fuel .....	\$12,350
Dredger Keeper, &c. ....	450
Total Government Vessels .....	\$12,800

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 No. 24.—LIGHTHOUSES.
 

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FRASER RIVER LIGHT SHIP.	
Salaries .....	\$2,160
Provisioning Crew .....	750
Stores and maintenance .....	700
	3,610
RACE ROCK LIGHT HOUSE.	
Salaries .....	1,800
Provisioning Light Keepers .....	1,550
Stores and maintenance .....	550
	3,900
FISGARD LIGHT HOUSE.	
Salaries .....	760
Stores and maintenance .....	500
Repairs .....	600
	1,860
Total Light Houses .....	\$9,370

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 RECAPITULATION.
 

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Provided for by Permanent Acts, on account of Salaries .....	\$ 52,137 50
Do. Do. Do. Pensions .....	2,425 00
Do. Do. Do. Interest on Loans .....	69,840 00
Do. Do. Do. Sinking Fund .....	50,197 50
	\$174,600 00
Required to be provided by Vote for Contingent Service of Year 1871:—	
Establishments .....	\$101,981 25
Services, exclusive of Establishments .....	245,553 76
	347,535 01
Estimated excess of Revenue over Expenditure .....	\$522,135 01
	11,814 99
Estimated Revenue .....	\$533,950 00

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SUMMARY OF THE FOREGOING ESTIMATES, SHOWING THE TOTAL CHARGE  
FOR EACH DEPARTMENT, so far as the same can be apportioned.

	Establishments.	Pensions, Retired Allowances, and Gratuities.	Revenue Services.	Administration of Justice.	Charitable Allowances.	Education.	Police and Gaols.	Rent.	Transport.	Conveyance of Mails.	Works and Buildings.	Roads, Streets, and Bridges.	Miscellaneous Services.	Interest.	Drawbacks & Re-fund of Duties, &c.	Sinking Fund.	Home Government Account.	Government Vessels.	Lighthouses.	TOTAL.
CIVIL ESTABLISHMENTS.																				
Governor.....	21,452 00																			\$ 23,460 50
Legislative Council.....	900 00																			900 00
Colonial Secretary.....	13,104 00																			13,104 00
Treasurer.....	4,802 00								250				1,500							6,552 00
Assay and Refinery Office.....													5,000							5,000 00
Auditor General.....	4,377 00																			4,377 00
Chief Commissioner of Lands and Works.....	10,878 00										23,650	54,550	850							112,098 00
Customs.....	16,972 50		750												2,000				12,800	19,722 50
Registrars General and Inspector of Schools.....	2,425 00					15,000														17,425 00
Post Office.....	3,200 00									36,549 96			400							40,149 96
Judicial Establishments.....	21,438 00	2,425	3,600																	27,463 00
Police Establishments.....	18,993 75		360				12,000													31,293 75
Gold, Asst. Gold Coms., & Stpdry Magistrates.....	35,576 50		250					216 00	2,000											38,042 50
Pensions.....		485																		485 00
Charitable Allowances.....				10,500																10,500 00
Miscellaneous.....													14,550							14,550 00
Interest.....														103,440						103,440 00
Drawbacks and Refund of Duties, &c.....															100					100 00
Sinking Fund.....																50,197 50				50,197 50
Home Government Account.....																	3,274 30			3,274 30
Total.....	154,113 75	2,910 40	4,600 750	3,960	10,500	15,000	12,000	264 50	3,250	36,549 96	23,650	54,550	23,260	103,440	2,100	50,197 50	3,274 30	12,800	9,370	\$522,135 01

## **APPENDIX D**

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### **Progress of Bills Brought Into the Legislative Council of British Columbia**

**1867-1871**

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
FOURTH SESSION, 1867

SCHEDULE OF BILLS

647

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Indemnity	Hon. Mr. Crease February 1	February 1	February 4	February 4	February 5	February 13	
Assimilation of Laws	Do.	Do.	February 5	February 6			Referred to Select Committee and each bill dealt with separately.
Customs Application	Do.	Do.	March 19	March 19	March 19	March 25	Referred to Ways and Means Committee.
Victoria Municipal Aid	Hon. Mr. Macdonald February 1	Do.	February 4	February 4	February 5	February 13	
Land Law	Hon. the Chief Commissioner February 4	February 4					Referred to Select Committee with Land Acquisition Bill.
Ordinance Conciseness	Hon. the Solicitor General February 4	February 4	February 5	February 5	February 6		Disallowed.
Officers' Enabling	Hon. Attorney General February 5	February 5	February 6	February 6	February 7		Assent not notified.
Legal Professions	Hon. Mr. Hencken February 5	February 5	February 18	February 18	February 19	March 7	Amended by Governor.
Trades Licenses	Hon. Attorney General February 7	February 7	March 9	March 9, 11	March 12	March 23	Referred to Ways and Means Committee.
Acquisition of Land	Hon. Mr. Pemberton February 7	February 7					Referred to Select Committee with Mr. Trutch's Land Bill.
Oaths and Evidence	Select Committee on Section B of Assimilation of Laws Bill February 8	February 8	February 11	February 11	February 13	March 15	Amended by Governor.
Sheriff's Law Assimilation Bill	Select Committee on Section B of Assimilation Law February 11	February 11	February 13	February 13, 14	February 18	March 5	
Indian Liquor Bill	Do.	Do.	Do.	February 13	February 14	April 2	Amended by Governor.
English Law Application	Do.	Do.	Do.	February 14	February 15	March 6	Amended by Governor.
Interest	Do.	Do.	February 14	February 18	February 19	Do.	Amended by Governor.
Postal	Select Committee on Assimilation Law February 14	February 14	February 18	February 20 March 1, 6, 11	March 13	April 2	Amended by Governor.
Gold Mining	Do.	Do.					
Ferries Regulation	Select Committee on Assimilation Law February 14	February 14	February 18	February 20	February 21	March 6	Referred to Select Committee and remodelled ( <i>see below</i> ).
Game	Do.	Do.	February 18	February 20	February 21	March 4	
Intestate Estate Sale	Do.	Do.	February 19	February 19	February 20	March 5	
Indian Graves	Select Committee on Assimilation Law February 14	February 14	February 19	February 19	February 20	March 5	
Inventions	Do.	Do.	February 20	February 28	March 1	March 19	Referred to Select Committee.
Homesite Exemption	Hon. Mr. Robson February 15	February 15	March 9	March 14	March 15	March 23	Referred to Select Committee.
Victoria Incorporation	Hon. Attorney General February 19	February 19	February 23	February 26, 27, 28, March 4, 22, 23, 26	April 1	April 2	Referred to Select Committee.
Mechanics' Lien	Hon. Mr. Robson February 22	February 22					Withdrawn.



PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
FOURTH SESSION, 1867—*Continued*

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Medical Profession	Hon. Mr. Robson February 26	February 26	March 1, 27	March 30	April 1	April 2	Referred to Select Committee.
Gold Fields	Select Committee on Assimilation Law February 27	February 27	March 9	March 14, 15, 18	March 19	April 2	
Weights and Measures	Governor March 8	March 8	March 9	March 9	March 11	March 19	
Supply Bill	Do.	Do.	Do.	Do.	Do.	Do.	
Legal Professions	Hon. Mr. Walkem March 6	March 6	March 20	March 22	March 23	April 1	
Marriages	Select Committee on Assimilation Law March 9	March 9	March 13	March 13, 14	March 14	April 2	
Currency	Hon. Attorney General (Select Committee) March 13	March 13	March 15	March 15, 18, 20	March 20	April 2	
Customs Tariff	Select Committee on Assimilation Law March 14	March 14	March 18	March 18, 19	March 19	March 25	
Real Estate Tax Repeal	Do.	Do.	March 21	March 27	March 29	April 2	Assent deferred.
Harbour Dues	Select Committee on Assimilation Law March 18	Do.	March 18	March 18, 20	March 21	April 2	
Mortgages	Do.	March 18	March 28	March 28, 30	April 2		
Crown Officers' Salary	March 19						Not taken up.
Repeal	Governor						Withdrawn.
V.I. Roads	Hon. Attorney General March 20	March 20					
Pilotage	Do.	Do.	March 26	March 26, 27	March 27	April 2	
Harbour Regulations	Do.	Do.	March 25	March 25	March 26	Do.	Referred to Committee of Ways and Means.
Exchequer Debenture	March 21	March 21	March 23	March 25	Do.	March 30	Reserved for Her Majesty's consideration.
Land	Select Committee on Land Laws March 21	March 21	March 26	March 26, 27, 28	March 30		
Harewood Railway	March 21						
Extension	Hon. Attorney General March 22	March 22	March 25	March 28	March 29	April 2	
Excise	Hon. Attorney General March 22	March 22	March 25	March 25	March 26	April 2	
Ports of Entry	Hon. Attorney General March 25	March 25	March 27	March 27	March 28	Do.	
Limitation of Suits	March 25						
Victoria Real Estate Sale	Hon. Mr. Robson March 27	March 27	March 30	March 30	April 1		Referred to Committee of Ways and Means.
Repeal	Committee of the Whole	Do.	March 27	March 27	April 1		Reserved for Her Majesty's consideration.
Aliens	March 27						Assent deferred.
County Court Procedure	Hon. Attorney General March 29	March 29	April 1	April 1	Do.	April 2	
Supply Bill Confirmation	Governor March 30	March 30	March 30	April 1	April 2	September 17	
Supplementary Supply	Governor April 1	April 1	April 1	April 1	April 2	April 2	
V.I. Supply	Committee of Supply April 1	Do.	Do.	Do.	Do.	Do.	

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
FIFTH SESSION, 1868

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Limitation of Actions.....	Hon. Attorney General	March 23	March 24	March 31, April 17, April 22, 24, 25, 28	April 17	May 1	Recommitted; altered at 3rd reading; amended by Governor.
Supreme Court.....	Do.	Do.	April 2	Do.	April 29		Referred to Select Committee and divided into two Bills, one of which (Supreme Court Bill) is reserved for Her Majesty's assent.
Intestate Estate.....	Do.	Do.	March 24	March 30, April 28	April 28	Do.	
Weights and Measures.....	Hon. Attorney General	March 24	March 25	March 25, 30	March 31	April 22	
Naval and Victualling Stores.....	Do.	Do.	Do.	Do.	Do.	April 22	
Mortgages.....	Hon. Mr. Robson	Do.	March 30	March 31			Lapsed.
Fence.....	March 30	March 30	April 24	April 27			Referred to Select Committee and lapsed.
Investment Savings.....	Hon. Mr. De Cosmos	April 6	April 16	April 30			Lapsed.
Trustees' Relief.....	Hon. Attorney General	April 17	April 21	April 21	April 22	May 1	
Barristers and Attorneys.....	Hon. Mr. De Cosmos	Do.	April 22	April 24	April 29	Do.	
Sisters of St. Ann.....	Hon. Mr. Helmcken	April 17	April 20	April 21	April 22		Assent deferred.
Patent Slip.....	Hon. Mr. De Cosmos	April 22					Thrown out at 2nd reading.
Drawbacks.....	Do.	Do.	April 24	April 29, 30	April 28	May 1	Thrown out in Committee.
Fire Inquest.....	Hon. Attorney General	Do.	Do.	April 27	April 29	Do.	
Hudson Bay Titles.....	Hon. Mr. Helmcken	April 23	Do.	April 29	April 29		Lapsed.
Anatomical Studies.....	Hon. Mr. Helmcken	April 25	April 27	April 29, 30			Lapsed.
Fruits Customs.....	Do.	Do.	April 29	April 29	April 29		Lapsed.
Supply Bill.....	Governor, April 27	April 28	April 29	April 29	April 29	Do.	
Court's Declaratory.....	Committee of the Whole	March 23	April 2	April 28			
Thompson River Bridge.....	Hon. Attorney General	April 29	April 30	April 30, May 1	May 1	Do.	
County Court.....	Do.	Do.	Do.	Do.	May 1	Do.	Lapsed.
Shipping Amendment.....	Governor, by message	April 30	April 30	April 30			

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
SIXTH SESSION, 1868-69

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Fence	Hon. Attorney General	December 21	January 7	January 8, 15, 26, February 1	February 2	March 2	
Savings Banks	Do.	Do.	Do.	January 12	January 18	February 23	Amended by Governor.
Mining	Do.	Do.	January 26	January 27, 28, 29, February 1, 4, 24, 26	March 1	March 15	
Drawbacks	Hon. Mr. Drake	Do.	February 10	February 15, 23, 25	February 25		Referred to Select Committee; amended by Governor; recommitted; conference; assent deferred.
Registration of Voters	Hon. Mr. Drake						Withdrawn.
Wolves and Panthers	Hon. Mr. Helmcken	December 22					Assent deferred.
Loan	Hon. Mr. Davie	January 7					
Anatomy	Hon. Mr. Carrall	January 11	February 5	February 18, 26, March 2	February 16	March 11	
Cattle Protection	Hon. Mr. Carrall	January 12	February 9	February 15	March 1	March 9	Amended by Governor.
Health	Hon. Mr. Davie	Do.	January 18	February 5, 8, 24	February 9	February 23	
Crown Costs	Hon. Attorney General	January 18	January 25	February 2, 8	February 5		
Queen Charlotte Coal Company	Hon. Mr. King	Do.	January 26	February 2, 5	February 2	February 24	Recommitted; assent deferred.
Common Schools	Hon. Mr. Crease	January 20	January 26	January 29, February 1	February 2	February 24	Recommitted.
Fire	Hon. Mr. Alison	January 25	February 3	February 3, 10, 16, 23	February 24	March 13	
Supply Bill	Hon. Attorney General	January 27	February 3	February 8, 19, March 1	March 2	Do.	
Affidavits	Governor, by message	January 28	February 1	February 1	February 2	February 23	
Game	Hon. Mr. Walkem	January 29	February 3	February 3	February 4	February 24	
Probate	Hon. Mr. Drake	February 1	February 5	February 5	February 9	March 13	Amended by Governor.
Victoria By-Law	Hon. Mr. King	February 2	February 16	February 19			Lapsed.
Municipal	Hon. Mr. Crease	February 8	February 15	February 22			Lapsed.
Supreme Courts	Hon. Mr. Crease	February 8	February 22	February 24, 25, March 1, 3, 9	March 11	March 15	Referred to Select Committee.
Harewood Railway Company	Governor, by message	Do.	February 24	February 24	February 25	March 2	
	Hon. Mr. King	February 9	February 16	February 16	February 17	Do.	

Reconveyance .....	Hon. Attorney General February 10	February 16	February 16	February 17	February 25
Civil Cases .....	Hon. Mr. Walkem February 17	February 24	February 24	February 25	March 11
Partnership Companies .....	Do. Do.	Do. February 26	Do. February 26, March 1	Do. March 3	March 10
St. Andrew's Church .....	Hon. Mr. Helmcken February 22	February 23	February 25, 26	March 3	Assent deferred. Assent deferred.
Volunteer .....	Hon. Attorney General February 22	February 26	February 26	March 2	March 11
Pre-emption Stipendiary Magistrates .....	Do. Hon. Attorney General February 22	Do. February 24	Do. February 24	March 1 February 25	March 10 March 10
Road .....	Hon. Attorney General February 22	February 23	February 26	March 2	March 11
Evidence .....	Hon. Mr. Walkem February 24				Lapsed.
Replevin .....	Do.	March 1	March 2	March 3	Lapsed.
Supplementary Supply .....	Governor February 24				Lapsed.
Victoria City Water .....	Hon. Mr. Robson February 25				Lapsed.
Water .....	Hon. Mr. Trutch March 1	March 11	March 12		Lapsed.
Religious Institutions .....	Hon. Mr. Crease March 1	March 2	March 4	March 9 [?]	Amended by Governor.
County Courts .....	Hon. Mr. Crease March 3	March 9	March 9, 11	March 12	Amended by Governor.
Indian Reserves .....	Hon. Mr. Crease March 11	March 12	March 12	March 12	Do. Do.



PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
SEVENTH SESSION, 1870

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTEE AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Land Registry .....	Hon. Attorney General February 21	February 21	March 7	March 30, April 4, 5, 7, 8, 11, 19	April 20	June 1	Recommitted and amended by Governor.
Medical Practitioners .....	Do.	February 21	February 22	March 7	March 9	March 24	
Crown Grants .....	Hon. Attorney General February 22	February 22	March 7	March 29, 30	April 4	April 18	
Supply .....	Governor, by message March 7	March 7	March 9	March 9	March 10	Do.	Lapsed. Thrown out.
Supplementary Supply .....	Committee of Supply March 7	Do.	Do.	Do.	Do.	Do.	
Agricultural Land Tax Bill .....	Hon. Mr. De Cosmos March 7	April 6	Do.	Do.	Do.	Do.	
Water Supply .....	Hon. Mr. Drake March 7	April 6	April 11	April 19	April 19	April 23	Lapsed. Thrown out.
County Courts .....	Hon. Mr. Drake March 7	April 6	April 7	April 12	April 13	April 20	
Common School Amend- ment .....	Hon. Mr. Alston March 7	March 28	Do.	Do.	Do.	Do.	
Nanaimo Incorporation .....	Hon. Mr. Ring March 7	March 25	March 25	March 25	March 28	March 28	Lapsed. Thrown out.
Courts Jurisdiction .....	Hon. Attorney General March 25	March 25	April 11	April 11	April 13	April 13	
Game .....	Hon. Mr. Dewdney March 28	April 6	April 11	Do.	Do.	Do.	
Crown Costs .....	Hon. Mr. Ring March 29	April 6	Do.	Do.	Do.	Do.	Lapsed. Thrown out.
Bills of Sale .....	Hon. Mr. Alston April 5	April 5	April 11	April 20, 21	April 21	May 11	
Fire Companies, Aid .....	Hon. Mr. Drake April 6	Do.	April 13	April 19, 20, 21	April 22	June 1	
Crown Lands .....	Hon. the Chief Commis- sioner of Lands and Works, April 7	April 7	April 13	April 13	April 13	April 22	Referred to Select Committee; lapsed.
Customs Duties .....	Governor April 11	April 11	April 12	April 12	April 13	April 22	
Municipal Fines .....	Hon. Attorney General April 12	April 12	April 20	April 20	April 20	April 23	
Loan .....	Do.	Do.	April 14	April 19	April 20	April 27	Lapsed.
Road Amendment .....	Governor April 19	April 19	April 20	April 21	April 21	April 28	
Cemetery .....	Do.	Do.	Do.	April 22	April 22	April 26	
Supreme Courts Fees .....	Do.	Do.	April 19	April 20	April 20	April 26	Lapsed.
Customs Amendment .....	Do.	Do.	Do.	April 19	April 19	April 26	
Supreme Court Merger .....	Do.	Do.	Do.	April 20	April 20	April 22	
Merchant Ship Descent .....	Governor April 20	April 20	April 21	April 22	April 22	April 27	

PROGRESS OF BILLS BROUGHT INTO THE LEGISLATIVE COUNCIL OF BRITISH COLUMBIA  
EIGHTH SESSION, 1871

SCHEDULE OF BILLS

653

NAME	BY WHOM AND WHEN INITIATED	FIRST READING	SECOND READING	COMMITTAL AND REPORT	THIRD READING AND PASSED	ASSENT	REMARKS
Supply	Governor January 20	January 20	January 20	January 23	January 24	February 6	
Kurtz and Lane Mining Co.	Hon. Mr. Carrall Do.	January 20	January 23	January 24, 25	January 31	February 6	
Customs Repeal	Mr. Nathan January 24	January 24	February 9	February 14	February 14		Another bill substituted by Governor.
Thomson's Road Steamers	Hon. Mr. Carrall Do.	Do.					Withdrawn.
Loan Investment Amendment	Do.	January 25	March 20	March 27	March 27	March 28	Thrown out.
Legal Professions	Hon. Mr. Helmcken Do.	Do.					Amended by Governor.
Mechanics' Institute	Mr. Alston January 26	January 26	February 3	February 7	February 10	February 24	Recommitted.
Constitution	Governor January 31	January 31	February 2	February 2, 3, 6, 7	February 7	February 13	
Thomson's Road Steamers	Hon. Mr. Carrall February 3	February 3	February 14	February 21, 23	February 28	March 8	
Tolls Exemption	Governor February 14	February 14	February 23	February 23	February 23	February 24	
Tax Sale Repeal	Do.	Do.	Do.	Do.	Do.	March 2	Recommitted.
Firemen's Aid	Mr. Nathan Do.	Do.	Do.	March 1, 2	March 2	March 8	
Supplemental Supply	Governor February 21	February 21	February 23	February 23	March 23	February 24	
Registration of Voters	Do.	Do.	Do.	February 28 March 1, 2, 7	March 7	March 14	Recommitted.
Customs Repeal	Do.	February 28	March 1	March 1	March 2	March 8	
Road Appellate	Do.	March 2	March 2	March 2	Do.	Do.	Thrown out.
Deputy Registrar's Salary	Do.	March 7					
Election Regulation	Do.	March 7	March 9	March 9, 10	March 10	March 22	
Telegraph Regulation	Mr. Alston March 7	March 9					Thrown out.
Bribery	Mr. Alston March 9	March 10	March 14	March 14	March 14	March 27	
Civil List	Governor March 10	March 14	March 17	March 21, 22, 23	March 23	Do.	
Contested Elections	Do. 14	Do.	Do.	March 27	March 27	March 30	
Tolls Charter	Hon. Attorney General Do.	Do.	Do.	March 27	March 27	March 30	
Cattle Exemption	Governor March 17	March 17	March 21	March 21	March 21	March 24	
Enactments Repeal	Mr. De Cosmos March 20	March 20	March 23	March 27	March 27	March 30	
Charitable Institutions	Governor March 21	March 21	March 23	March 23	March 23	March 27	
Municipal School Aid	Hon. Mr. Philippo March 23	March 23	March 24	March 24	March 24	Do.	Withdrawn.
Compilation of Laws	Mr. Nathan March 23	March 23					
Merchant Ship Desertion	Do.	March 24	March 24	March 24	March 24	March 28	
Return Tolls Abolition	Do.	Do.	March 27	March 27	March 27	Do.	
	Governor March 24	March 24	Do.	Do.	Do.	Do.	



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